URBAN/MUNICIPAL

Hamilton, Ont. Council

Agendas of the Council

April 1984- July 31, 1984

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, April 10, 1984
7:30 o'clock p.m.
Council Chambers
City Hall

AGENDA

1. Prayer
2. Minutes of Previous Meeting held March 27, 1984
3. Reports of Standing Committees - attached
   - A Transport and Environment Committee
   - B Parks and Recreation Committee
   - C Finance Committee
   - D Planning and Development Committee
   - E Legislation Committee
4. First reading of Bills
5. Second reading of Bills - Committee of the Whole
6. Third reading of Bills
7. Question period
8. Adjournment

TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1984 and respectfully recommends:

1. That the Mayor and City Clerk be authorized to execute an **Amendment to a Garbage Collection Agreement between The Corporation of the City of Hamilton and St. Elizabeth Home Society** (Hamilton, Ontario) for the collection of garbage at 393 Rymal Road West. The Amendment extends the area in respect of which garbage is collected on the Applicant's land. The original Agreement will otherwise remain in effect, requiring the Applicant to indemnify and save the City harmless against any loss, and to maintain and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.

2. Supply and delivery of approximately **40 Tonnes Hydrotech Sealz** #6160 in accordance with specifications issued by the Director of Purchasing and Vendor's Tender at $689 Per Tonne $27 560
   Ontario Sales Tax Extra.

   NOTE: Lowest of 5 tenders received.
   Funds have been provided for in the estimates for this purpose.

3. That the City Treasurer be authorized to make application to Environment Canada under the Environment 2000 Program for **approval of a Skunk Environment Project** in the amount of $126 550.

   NOTE: The City of Hamilton has in the past had several epidemics of rabies due to skunk populations and is again slated for a significant outbreak in 1984.

   It is impossible to control population numbers or in fact rabies (skunks are the second highest carrier of rabies) without habitat management.

   This project is designed to conduct the habit manipulations, not totally to improve it for other wildlife species, but to remove the source of food, cover a large segment of the skunk population.

   The Environment 2000 Program is an employment incentive-type program to extend and accelerate activities which will contribute to the conservation, preservation and restoration of the natural environment.

   Maximum funding or total program contributions towards a project will not exceedd $350 per week per person and $150 per work week for other costs (subject to final approval of funding or approximately $126 900).

   The Province of Ontario, through the Ministry of Natural Resources, Cambridge District Office, is in support of this project and has recommended funding of this work to Environment Canada.

This project, if approved and funded by Environment Canada, will result in minimal or no cost to the City of Hamilton.

4. That **parking be prohibited on the east side of Teresa Street** between Dover Drive and a point 31 feet south of the south curb of Meta Street.

5. That a **parking prohibition be implemented on the east side of Crawford Drive** between Kentley Drive and Nugent Drive.

6. That a **"No Parking, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Belmont Avenue**, commencing at a point 68 feet south of Roxborough Avenue and extending to a point 26 feet southerly therefrom.

7. That, in accordance with the changes in parking regulations approved by the City Council on 1984 February 14, the **existing "No Parking, 2nd Tuesday each Month, 1:00 p.m. to 4:00 p.m." regulation on the north side of Bold Street** between Hess Street South and Caroline Street South **be switched to the south side** of the street.

8. That the **application by Delta Insurance Brokers (1961) Limited to lease a portion of the boulevard of Shirley Street,** adjacent to 1274 Fennell Avenue East, be approved provided that:

   i. the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1976 November 30 (current rate is $123.52), plus taxes, if any, in addition to the $10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.

   ii. the owner complies with the requirements as set out in the policy approved by City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.

   iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.

   iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

9. That the City Solicitor be directed to **amend By-law 80-179 (The Hess Street Village Mall By-law) to provide that the penalty for a stopping violation** will be $25, effective 1984 July 01.

10. That a parcel of land containing approximately **250 square feet on the north side of Barton Street East, west of Nash Road be leased to Ramsgate Outdoor Advertising** for the erection of an illuminated advertising sign.

    NOTE: The lease will be for a one year period with a 90 day termination clause for either party. The lease document to be prepared by the City Solicitor.

    The rent shall be $2 400 per year plus taxes, commencing May 1, 1984.

11. That an **Option to Purchase the lands of Frank Chiaravalle and Lucia Chiaravalle,** for the extension of Leggett Crescent, duly executed on March 22, 1984 by the Vendors, and scheduled for closing on May 28th, 1984 **be completed.**

NOTE: The property is composed of a parcel of vacant land located to the rear of 770 Limeridge Road East having dimensions of 75 feet, more or less, by 66 feet, more or less, with an area of 4 978 square feet and being more particularly described as Part 4 on Plan 62R-4626.

The purchase price is $2 706 and the cost is to be charged to account #0280-12.

This transaction includes special covenants, agreements and restrictions which are set out below, which terms should be included in the Committee's resolution to City Council.

The Vendor acknowledges to the City that the Vendor realizes that the land he retains will:

(a) be bounded on the south side of Part 3 by a 1' Reserve separating his remaining land (Parts 2 and 3) from highways to be established by the City;

(b) not qualify for a Building Permit until he pays a share of the services to be installed in the said new highway;

(c) be separated from the highway by the said 1' Reserve until payments referred to in (b) above are paid;

(d) have a temporary right-of-way in, along and upon the lands being sold herein to the City as well as the 1' Reserve known as Parcel "DX" on Plan 62R-4626 for access to and from Leggett Crescent and the land he retains, (Parts 2 and 3, Plan 62R-4626 and those lands south and adjacent to Part 4) such right-of-way is hereby granted by the City effective on the closing of this purchase by the City and shall expire when the said highways are established on Part 4, Plan 62R-4626 even though the said 1' Reserve will remain until the payment referred to in paragraph (b) above is paid.

12. That Item 49 (f) of the First Report of the Transport and Environment Committee approved by City Council on December 14th, 1982, dealing with an **annual agreement to lease City owned lands running parallel to Barnesdale Avenue between Cannon and Somerset, be rescinded** and that it be replaced by the following:

(f) William and Sarah Goddard, 42 Somerset, an area 12' x 20' for garage privileges at an annual rental of $12 per year commencing April 1st, 1984.

13. That:

i. The Director of Real Estate be authorized to proceed to take whatever action is necessary to prepare for the **disposal of the Hill Street Yard property** on the basis of a townhouse development.

ii. The City of Hamilton's Option to Purchase for the property of Frederick R. Thompson and Donald K. Stewart, duly executed on March 16th, 1984, by the Vendors and scheduled for closing on or before August 27th, 1984 be completed.

The property is composed of a parcel located on the west side of Richmond Street, having a frontage of 33' (more of less) by a depth of 90' (more of less) and contains an area of 3 092 sq. ft. (more of less) and is more particularly described as Lot 11, in the R. Beasley Survey with all buildings erected thereon bearing Municipal Number 14 Richmond Street.

The purchase price is $40 700.

iii. The Finance Committee establish the means of financing the costs incurred in placing the site in a saleable position, ie. building demolition costs, site clean up, soil tests, commuting the owner's share of the proposed sewer and road improvements planned for this year and the acquisition of 14 Richmond Street.

iv. The City of Hamilton convey to the Regional Municipality of Hamilton-Wentworth for the sum of $1.00 an extension of the 35' sewer easement in order to protect the Region's existing sewer installation at this location.

14. WHEREAS City Council, in approving Item 4 of the Third Report of the Transport and Environment Committee at its meeting of February 28, 1984, deleted Cannon Street and Britannia Avenue between Sherman Avenue and Parkdale Avenue, from the truck route system,

IT IS THEREFORE RECOMMENDED THAT:

i. The Director of Real Estate be authorized and directed to negotiate the **purchase of the necessary lands at the south-west corner of Cannon and Ottawa Streets** for the radius improvement.

ii. The cost of acquisition estimated at $1 300 be charged to the 1984 City Reconstruction Program. (Cannon Street, Gage to Ottawa Streets)

iii. The City Solicitor take the necessary steps to incorporate the land into Cannon Street by By-law upon its acquisition.

15. WHEREAS Clause 13 (b) of the Fourteenth Report of the Planning and Development Committee, as adopted by City Council at its meeting held on 78 04 25 recommended that a **Subdivision Agreement be entered into between the City and the owners of the lands to be subdivided, Benemar Construction Inc.;**

IT IS HEREBY RECOMMENDED THAT:

i. The engineering schedules for the estimated cost of services in "Aspen Estates - Phase 1", as approved by the Commissioner of Engineering and **appended hereto**, be adopted for inclusion in the proposed Subdivision Agreement;

ii. The City's share for the cost of services for this development ($89 538.63) be charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12;

Type of Work	Amount to be Financed
Catch Basins and Connections	$ 3 696.00
Curbs and Sidewalks	18 608.80
Final Roads	49 225.65
Seeding	3 156.75
Watermains	11 101.43
Street Lighting	3 750.00
TOTAL	$89 538.63

iii. The approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

iv. In the event the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing.

16. That the application of **Mr. J. W. Logan, on behlaf of the owners, Youn Sik Lim and Hyun Soon Lim of 23-25 Hess Street North to retain the following inadvertent encroachment on the Hess Street North road allowance:**

i. Front porch steps approximately 1.5m by approximately 0.9m.

ii. Concrete steps approximately 1.5m by approximately 0.9m

And on the Market Street road allowance:

i. Concrete steps approximately 1.5m by approximately 0.9m.

be approved during the pleasure of City Council, provided:

(a) That the owners enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(b) That an annual fee of $20 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

17. That:

i. **Dofasco Inc. prepare an amending agreement covering the addition of the KAMAG Transporter Vehicle** to the satisfaction of the City and Regional Solicitors.

ii. The appropriate municipal officials be authorized to execute the amending agreement.

NOTE: Staff has received an application from Dofasco Inc. to amend the existing Ingot Truck Agreement between the City of Hamilton, Region of Hamilton-Wentworth and Dofasco. The Agreement is to be amended to include a longer version of a vehicle covered by the 1978 Ingot Truck Agreement.

18. That:

    i. The Director of Real Estate be authorized and directed to negotiate the **purchase of the lands required to construct a 20 foot wide walkway connecting the Fessenden and Gurnett Neighbourhoods.**

    ii. The cost of acquisition estimated at $24 000 be charged to Account 0352-0461, Paths and Walkways.

    NOTE: A predestrian walkway is needed to connect the Gurnett and Fessenden Neighbourhoods in the area of the 40 foot wide sewer easement between 324 and 332 Magnolia Drive and 118 and 128 Guildwood Drive. A provision for the walkway has been included in the 1984 Current Budget which was approved by Council on March 27, 1984.

19. That the City Solicitor be directed to proceed with the preparation of a **by-law to widen Garth Street** be incorporating therein that part of Lot 18, Concession 8, geographic Township of Barton, shown as Parts 2 and 3 Plan 62R-7004 being a strip of land 27 ft. wide by 700 ft. long together with a 40 ft. by 40 ft. daylighting triangle.

20. That a policy be established whereby **paving stones will be installed in all outer boulevards in commercial areas** where there is an established "Business Improvement Area" when the abutting sidewalk is being reconstructed under the City's annual reconstruction program.

21. That:

    i. The **item included in the 1984 Current Budget submission for the Bay Street Bridge Repairs,** in the amount of $30 000 Account No. 0352-0269, **be deleted.**

    ii. An amount of $22 100 be included in the 1984 Current Budget for Preliminary Engineering, Account No. 0352-0162.

    iii. An amount of $7 900 be added to the amount in the 1984 Current Budget for Slurry Seal, Account No. 0352-0665.

22. That:

    i. the **GO ALRT Route Selection reports be circulated** to all civic departments for comments, and

    ii. once all comments have been received, the Mayor call a special meeting of City Council for a full debate of all proposed routes and the preparation of a resolution to Regional Council as soon as possible.

23. That the City of Hamilton **extend its special adult eligibility criteria for transit passes** to include the blind for 1985.

24. That:

i. the residence at Hamilton Civic Airport known as **building T12 be rented to the Hamilton Flying Club** on a monthly basis at a rental of $250 including taxes commencing May 1, 1984.

ii. the property is to be tenanted by Mr. Reginald Spence, General Manager of the Hamilton Flying Club and his wife.

25. That leave be granted to introduce the following bills:

(a) A-16 By-law to Amend By-law No. 77-181 Respecting Control of Aircraft on Aprons at the Hamilton Civic Airport

(b) A-17 By-law to Amend By-law No. 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED

ALDERMAN H. MERLING, CHAIRMAN

R. C. Prowse, Secretary

1984 April 02
Attach.

REFERRED TO IN SECTION 15
OF THE SIXTH REPORT OF THE
TRANSPORT AND ENVIRONMENT
COMMITTEE.

SCHEDULES "E","F", "F-1" AND "G"
ASPEN ESTATES
CITY OF HAMILTON

SIDNEY W. WOODS INC.,
ENGINEERS & SURVEYORS

.....

J. MORGANTE, P. ENG.

REGISTERED PROFESSIONAL ENGINEER
J. MORGANTE
PROVINCE OF ONTARIO

..... March 15/84

DATE

REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

.....

COMMISSIONER OF ENGINEERING

..... Mar. 26/84

DATE

SCHEDULE "E"

ASPEN ESTATES (PHASE 1)

Requirements for boundary highways.

PART "A"

Works to be installed by the Subdivider and costs shared as shown:

	ESTIMATED COST	
	Subdivider	City
1. UPPER WENTWORTH STREET, East side only, sidewalks at intersection with Russet Street.		
17m at $54.00 = $918.00		
Subdivider's Share 50%	$ 459.00	
City's Share 50%		$459.00

NOTE: Sidewalks to be constructed within one year of registration of the Plan of Subdivision.

PART "B"

Works to be carried out as local improvements.	NIL	NIL

SCHEDULE "F"

ASPEN ESTATES (PHASE 1)

Requirements for other than boundary highways. Works to be installed by Subdivider and costs shared as shown:

	ESTIMATED COST	
	Subdivider	City
1. Catch Basins and Connections		
(a) Russet Street to East Limit of Subdivision.		
6 Single Catchbasins at $1,100.00 = $6,600.00		
Subdivider's Share 50%	$3,300.00	
City's Share 50%		$3,300.00
(b) Charing Cross from Russet Street to South Limit of Subdivision.		
2 Single Catchbasins at $1,100.00 = $2,200.00		
2 Double Catchbasins at $1,600.00 = $3,200.00		
Total Estimated Cost = $5,400.00		
Subdivider's Share (100%)	$5,400.00	
City's Share		NIL

NOTE: All catchbasins and connections to be constructed within two months after completion of sewer and water services.

SCHEDULE "F" Cont'd.

2. SIDEWALKS AND CURBS		Subdivider	City
(a) Russet Street from Upper Wentworth Street to East Limit of Subdivision.			
(i) South Side:			
Independent sidewalk 81m @ $54.00	=$4,374.00		
Independent curb 90m @ $28.00	=$2,520.00		
Combined curb & sidewalk - 120m @ $70.00	=$8,400.00		
Total Cost South Side	$15,294.00		
Subdivider's Share (100%)		$15,294.00	
(ii) North Side:	$		
Independent sidewalk 196m @$54.00	=10,584.00		
Independent curb 199 m at $28.00	= 5,572.00		
Total Cost North Side	$16,156.00		
City's Share (100%)			$16,156.00
(b) Charing Cross from Russet Street to South Limit of Subdivision.			
Combined curb & sidewalk 210m @$70.00 = $14,700.00			
Subdivider's Share (100%)		$14,700.00	
City's Share			NIL
(c) Aspen Court from Charing Cross to West Limit of Subdivision.			
Combined curb & Sidewalk 5m @$70.00 = $350.00			
Subdivider's Share (100%)		$ 350.00	
City's Share			NIL

NOTE: All walks and curbs to be constructed within six months of completion of sewer and water services.

3. FINAL ROADS	SUBDIVIDER	CITY
(a) Russet Street from Upper Wentworth Street to East Limit of Subdivision.		
Clearing and Grading $ 3,000.00		
Granular "A" 2250m^2 @ $ 9.30 = $20,925.00		
Asphalt 2250m^2 @ $16.50 = $37,125.00		
TOTAL COST $61,050.00		
City's Share (Extra Depth) = 33.33% of Granular "A" = 33.33% of $ 20,925.00 = $ 6,975.00		$ 6,975.00
Remaining Cost = $54,075.00		
City's Share for Roadway over 8.5m Width =24.7% of $54,075.00		$13,356.53
Cost of Standard 8.5m Road Width = $ 40,718.47		
Subdivider's Share (50% of $40,718.47)= $ 20,359.24	$20,359.24	
City's Share (50% of $40,718.47) = $20,359.24		$20,359.24
(b) Blending at Upper Wentworth Street 380m^2 @ $12.40 = $ 4,712.00		
City's Share for Extra Width = 38.4% of $4,712.00		$ 1,809.41
Remaining Cost = $ 2,902.59		
Subdivider's Share (50% of $2,902.59)	$ 1,451.30	
City's Share (50% of $2,902.59)		$ 1,451.30
(c) Charing Cross from Russet Street to South Limit of Subdivision		
960 m^2 @ $28.00/m^2 = $ 26,880.00		
Subdivider's Share (100%)	$26,880.00	
City's Share		NIL
(d) Aspen Court from Charing Cross to West Limit of Subdivision		
85 m^2 @ @28.00/m^2 = $ 2,380.00		
Subdivider's Share (100%)	$ 2,380.00	
City's Share		NIL

	SUBDIVIDER	CITY
4. STREET LIGHTING		
(a) Russet Street from Upper Wentworth to East Limit of Subdivision		
5 L.S. @$1,500.00 Ea.=$7,500.00		
Subdivider's Share (50%)	$3,750.00	
City's Share (50%)		$3,750.00
(b) Charing Cross from Russet Street to South limit of Subdivision		
3 L.S. @$1,500.00 Ea.=$4,500.00		
Subdivider's Share (100%)	$4,500.00	

NOTES:

1. Future Aspen Court to connect to Charing Cross. No proposed Lot will have either frontage or flankage on Aspen Court.

2. No preliminary roads are to be installed.

3. The asphalt binder course for all Final Roads must be installed within 6 months of completion of the sewer and water services.

4. The asphalt surface course is to be completed not earlier than 12 months, and not later than 18 months after the completion of sewer and water services. If the 18 month period falls between November 1st and April 1st, then the surface course of asphalt must be completed by June 30th of the same year following April 1st.

5. Street lights are to be installed by Hamilton Hydro and paid for by the Subdivider.

Total Subdivider's Share	$ 98,823.54	
Total City's Share		$67,616.48

SCHEDULE "F - 1"

ASPEN ESTATES

City's Share of Water Services.

PART "A"

Construction Costs (including maintenance and Regional inspection fees).

1. WATERMAINS

ESTIMATED COST

(a) Russet Steeet from Upper Wentworth Street to West Limit of Lot 1

Total Cost = $ 21,376.00

Region's Share for Oversizing - 62.3% = $ 13,317.25

City's Share = 50% of (21,376.00-13,317.25) = $4,029.38
Maintenance 3% = $ 120.88
Regional Inspection Fee 3% = $ 120.88

Total City's Share = $4,271.14 — $4,271.14

(b) Russet Street from West Limit of Lot 1 to East Limit of Subdivision

Total Cost = $ 26,404.00

Region's Share for Oversizing - 57.4% = $ 15,155.90

City's Share = 50% of (26,404.00-15,155.90 = $5,624.05
Maintenance 3% = $ 168.72
Regional Inspection Fee 3% = $ 168.72

Total City's Share = $5,961.49 — $5,961.49

PART "B"

Cost of Engineering and Supervision (9%)

		ESTIMATED COST
1. (a)	Russet Street from Upper Wentworth Street to West Limit of Lot 1.	$ 362.64
(b)	Russet Street from West Limit of Lot 1 to East Limit of Subdivision.	$ 506.16
	TOTAL CITY'S SHARE	$ 868.80

SCHEDULE "G"
ASPEN ESTATES (PHASE 1)

Requirements for seeding and planting trees.

PART "A"

Works to be carried out by the Subdivider and costs shared as shown

	ESTIMATED COST	
	SUBDIVIDER	CITY
SEEDING		
Boulevard on North side of Russet Street from Upper Wentworth to East Limit of Subdivision		
$1,220m^2$ @$ 2.25 = $ 2,745.00		
City's Share 100%		$2,745.00
Maintenance 15%		$ 411.75
Boulevard for Frontage and Flankage on all Lots and Blocks on Charing Cross and on the South side of Russet Street.		
$1,940m^2$ @$2.25 = $ 4,365.00		
Subdivider's Share 100%	$4,365.00	
Maintenance 15%	$ 654.75	
TOTAL FOR PART "A": Subdivider's Share=$5,019.75		
City's Share =		$3,156.75

PART "B"

Works to be installed by the City and Paid for by the Subdivider.

TREES

Frontage and Flankage on all Lots and Blocks on Charing Cross and on the South side of Russet Street.
Cost calculated at $1.00/m for the total frontage of 397.66m = $ 397.66

TOTAL FOR PART "B": = $ 397.66

NOTE: All seeding to be completed within 6 months of completion of sidewalks and curbs.

SUMMARY SHEET
(SCHEDULE E,F,F-1 AND G)

1. CITY SHARE

(a) Street Lighting $ 3,750.00

(b) Seeding (including 15% maintenance of $411.75) $ 3,156.75

(c) Services to be installed by the Subdivider and paid for by City.

TYPE OF WORK	CONST. COST	MAINTENANCE (3%)	INSPECTION (2%)	ENGINEERING (7%)	TOTAL	
Catchbasins and Connections	3,300.00	99.00	66.00	231.00	3,696.00	
Sidewalks and Curbs	16,615.00	498.45	332.30	1,163.05	18,608.80	
Final Roads	43,951.48	1,318.54	879.03	3,076.60	49,225.65	
Watermains	9,653.43	289.60(3%)	289.60(3%)	868.80(9%)	11,101.43	
					$82,631.88	$82,631.88

TOTAL CITY SHARE $89,538.63

A.17

2. SUBDIVIDER'S SHARE

(a) Local Improvements	NIL
(b) Tree Planting	$ 397.66
(c) Replacing of damaged or missing Survey Monuments and Standard Iron Bars	$ 1,500.00
(d) Street name signs (3 corner Lots at $ 38.00)	$ 114.00
(e) Seeding (including 15% maintenance of $654.75)	$ 5,019.75
(f) Street Lighting	$ 8,250.00
(g) Services to be installed by and paid for by the Subdivider	

TYPE OF WORK	CONST. COST	MAINTENANCE (3%)	INSPECTION (2%)	ENGINEERING (7%)	TOTAL	
Catchbasins and Connections	8,700.00	261.00	174.00	609.00	9,744.00	
Sidewalks and Curbs	30,803.00	924.09	616.06	2,156.21	34,499.36	
Final Roads	51,070.54	1,532.12	1,021.41	3,574.94	57,199.01	
					$101,442.37	$101,442.37
				TOTAL SUBDIVIDER'S SHARE		$116,723.78

TOTAL CITY SHARE	-	$ 89,538.63
TOTAL SUBDIVIDER'S SHARE	-	$116,723.78
GRAND TOTAL OF ALL WORKS	-	$206,262.41

A.18

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SIXTH** Report for 1984, and respectfully recommends:

1. (A) (i) That a fourteen member Board be appointed to administer the affairs of Hamilton Place, the Convention Centre and the Trade Centre/Arena.

(ii) That the Board to be comprised of the Mayor, four (4) aldermen and nine (9) citizen members.

(iii) That the Mayor and four aldermen be appointed for a period to coincide with their term of office.

(iv) That the initial appointment of the citizen members to be as follows:

(a) For a three year term, there will be one member from the present Board of Hamilton Place, one member from the present Board of the Convention Centre and one other citizen member.

(b) For a two year term, there will be one member from the present Board of Hamilton Place, one member from the present Board of the Convention Centre and one other citizen member.

(c) For a one year term, there will be three citizen members appointed.

(d) After the initial appointment, there will be three citizen appointments or re-appointments annually on a three year rotating basis.

Note - The Committee is of the opinion there would be merit in having representation from the Parks and Recreation Committee and the Finance Committee on this Board.

(B) That until such time as the necessary legislation has been received establishing legislated powers for the new Board:-

(i) The Hamilton Place and Convention Centre Boards shall continue their present responsibilities.

(ii) The new Board shall act on an interim basis reporting to City Council through the Finance Committee for the management of the Trade Centre/Arena and in a co-ordinating capacity with the other two Boards.

(C) That the City Solicitor be requested to prepare the necessary Provincial Legislation in draft form, for consideration by the Interim Board and recommendation from the Interim Board to City Council for their approval:-

(i) To establish a new Corporation or amend an existing Corporation Charter for the management of Hamilton Place, the Convention Centre and the Trade Centre/Arena, and for the appointment of a fourteen member Board.

(ii) To provide for a wind up of such legal corporations as may be necessary.

(iii) The effective date for (a) and (b) will be determined in the legislation.

(iv) To retain the benefits of the various foundations for charitable purposes.

(D) That the Interim Board take the necessary steps to retain and possibly expand to the other two facilities the Hamilton Performing Acts Corporation sales tax exemption for certain productions.

(E) In accordance with the report of Mr. W. H. McFarland, Consultant, dated March 7, 1984, and as recommended by the Advisory Group, the City will provide purchasing, legal, personnel and financial services for the year 1984, and consideration will be given to the continuance of the purchase of all or part of these services from the City by the new Corporation.

(F) That when the Legislative approval has been received, the new Board may request the members of the Boards for Hamilton Place and the Convention Centre to continue to serve in an advisory capacity as a Committee to the Board for a period to be determined by the new Board.

(G) A budget, in the amount of $250,000.00 be approved for the Trade Centre/Arena project for the year 1984 in accordance with the detailed estimates attached to the report of Mr. W. H. McFarland, Consultant, dated March 7, 1984 and recommended by the Advisory Group.

NOTE: The following reports prepared by Mr. W. H. McFarland, in support of these recommendations, were previously forwarded to the members of City Council. Additional copies, if required, are available from the Secretary of the Parks and Recreation Committee.

- Summary of Events for Advisory Group dated January 1984.

- Report of February 10, 1984 which provided an estimate of the possible dollar savings under a single structure for Hamilton Place, Convention Centre and the Trade Centre/Arena

- Report of February 23, 1984 on the proposed organizational structure and responsibilities of the General Managers under a single Board (see Schedule 2 for the organization chart approved by the Advisory Group)

- Report of March 7, 1984 for details of the proposed 1984 Estimated Budget in the amount of $250,000.00.

2. With the adoption of Section 8 of the Second Report of the Parks and Recreation Committee, City Council, at its meeting on February 14, 1984, authorized the appointment of a Subcommittee to provide technical advice and coordination on all aspects of recreational planning affecting Pier 4 and the Westport Area. Further, Council authorized the Parks and Recreation Committee to make the citizen appointments to this subcommittee.

   In this regard the Committee wishes to advise of the appointment of the following:

   Maggie Fischbuch
   Don Granger
   Sharon Lehnert
   Alice Lupton
   Gil Simmons

3. That bus shelters not be provided on the south "Leg" of King Street East between Hughson Street and James Street, in connection with the Gore Park Redevelopment Programme.

4. Approval of the awarding of the following contracts for equipment rental for 1984 and 1985 for the Parks Division, Department of Public Works.

			RATE PER HOUR 1984	1985	
(a)	**E. HIBBARD & SONS LTD., HAMILTON**				
	Bulldozers -	Caterpillar D-7	30.00	30.00	
		John Deere #450	25.00	25.00	
	Loaders -	955-L Track	30.00	30.00	
(b)	**ALDERSHOT CONTRACTORS EQUIPMENT RENTAL, BURLINGTON**				
	Bulldozers -	Caterpillar D-5, 6 Way Blade	49.00	49.00	
(c)	**QUIGLEY CONTRACTING, HANNON**				
	Scrapers -	Euclid TS-14	72.00	72.00	
		Euclid TS-24	90.00	90.00	
	Graders -	Caterpillar Model 14	38.00	38.00	
(d)	**WOYTKIW HAULAGE LTD., HAMILTON**				
	Trucks -	16 Cu. Yd.	30.50	30.50	*
(e)	**JOHN VANDERKAMP CONTRACTING, MILLGROVE**				
	Trucks -	16 Cu. Yd.	30.00	30.00	*

(f) **CRAYFORD ENTERPRISES LTD., HANNON**

Backhoes -	580C	35.00	35.00	*

(g) **STUART FLETCHER EXCAVATING LTD., HAMILTON**

Bulldozers -	John Deere #450, Wide Track	45.00	45.00
	John Deere #350	32.00	32.00
Loaders -	610 Bobcat with Bucket	35.00	35.00
Graders -	500 Gallion	40.00	40.00
Backhoes -	580C	30.00	30.00

(h) **G. F. MASON EXCAVATING, FRUITLAND**

Bulldozers -	Caterpillar D-6 with Ripper	48.25	50.50	
	Caterpillar D-7	52.00	54.00	*
	John Deere #450	34.75	36.50	*
Loaders -	Caterpillar 977	52.00	54.50	
	Caterpillar 941	34.75	36.50	
	John Deere	34.75	36.50	
	John Deere #450	34.75	36.50	
	7231B Terex	54.00	56.00	
Trucks -	8 Cu. Yd.	23.00	24.00	
	16 Cu. Yd.	29.00	30.50	
Graders -	Caterpillar Model 14	40.00	42.00	*
	Caterpillar Model 14, with Ripper	41.00	43.00	
	Huber Grader	31.50	33.00	
	500 Gallion	40.00	42.00	*
Backhoes -	MF50 Massey Ferguson	34.75	36.50	
	John Deere 310	34.75	36.50	
	580C	34.75	36.50	*
	680C	35.00	37.00	
Float -	35 Ton Truck Float	42.00	44.00	

NOTE: Lowest of 12 tenders, with additional back-up equipment indicated by *

5. Approval of the acquisition of the property at 199 Tragina Avenue North from Joseph Pomfert for the sum of $51,625.00. Option to be accepted on or before May 1, 1984. Cash on closing of sale which shall be on or before July 3, 1984.

NOTE: This property is required for parks and recreational purposes in connection with the development of the Homeside Priority One Park. Sufficient funds are available in Account No.0408-C16096 to provide for this acquisition.

6. Approval of the acquisition of the property at 40 Allan Avenue from John and Veronica McDonald for the sum of $48,800.00. Option to be accepted on or before April 17, 1984. Cash on closing of sale, which shall be on or before April 30, 1984.

   NOTE: This property is required for parks and recreational purposes in connection with the development of the Homeside Priority One Park. Sufficient funds are available in Account No.0408-C16096 to provide for this acquisition.

7. That permission be granted to the Joint Committee of Representatives of Buchanan Park and St. Vincent de Paul Schools to hold a bedding plant sale in Buchanan Park on Thursday, May 12, 1984 from 9:00 a.m. to 5:00 p.m.

8. (a) That the 1984 Grant to the Hamilton-Wentworth Creative Arts to conduct the 1984 Festival of Friends be increased in the amount of $4,000.00, specifically to meet and be utilized for costs related to the "User Pay Policy" relative to this organization's use of Gage Park for this year's Festival;

   (b) That commencing in 1985 any grant application incorporate such funds required specifically for this purpose;

   (c) That the Finance Committee be requested to recommend the method of financing this expenditure.

9. Approval of the appointment of the firm of Martin Hay and Associates, Inc., Walnut Street South, Hamilton, to provide professional advertising and promotional services for the 1984 Special Events, at a maximum fee of $3,000.00.

   NOTE: The proposal submitted by Martin Hay and Associates Inc. was the second lowest of three proposals submitted.

10. That leave be granted to introduce the following Bill:-

    (a) Bill B-3 - By-law to Expropriate lands for Redevelopment as a Park - (42 Allan Avenue, 208 Cope Street and 229 Weir Street North)

Respectfully submitted

ALDERMAN B. HINKLEY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
1984 March 29

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **SEVENTH** Report for 1984, and respectfully recommends:

1. (a) That a $1,000.00 One-time Grant be made to the McMaster Sports Track Club, to assist this organization in defraying costs associated with its operating expenses.

   (b) That this grant be financed from Account No.0374-0198 - Unclassified Grants.

2. Section 13 of the Sixth Report of the Transport and Environment Committee makes reference to the disposal of the Hill Street Yard, and requests the Finance Committee to recommend the method of financing the costs which will be incurred in placing the site in a saleable position.

   In this regard the Finance Committee recommends that the estimated costs of $200,000.00 required to place this site in a saleable position be financed from the Reserve for Property Purchases Account 0280-02.

   NOTE: It is anticipated that the revenue derived from the sale of this property will more than adequately cover these expenses.

3. With the adoption of Section 8 of the Fourth Report of the Finance Committee, City Council, at its meeting on February 29, 1984, approved the request of **Food For All International Marathon (FAIM)** for endorsation of its efforts to increase the understanding by Canadians of the causes of hunger and the barriers Third World people face in becoming self-reliant in food production and distribution.

   The Finance Committee wishes to advise that it has since been advised of the dissolution of this organization and therefore it respectfully recommends that Section 8 of the Fourth Report of the Finance Committee, adopted by City Council on February 29, 1984, be rescinded.

4. That the ten COED Projects, as set forth in SCHEDULE "A" attached, involving the Public Works and Culture and Recreation Departments in the total amount of $624,761.00 be submitted to the Minister of Municipal Affairs and Housing within the Canada Ontario Employment Development Programme, for approval; the total cost of $624,761.00 to be financed by the Province and the City on the basis of $550,000.00 (88 per cent) by the Province and $74,761.00 (12 per cent) by the City of Hamilton.

   NOTE: For the information of the members of City Council, these projects were originally rejected by COED and the City subsequently submitted all the rejected COED programs, including these, to the Canada Works Program, Section 38, UIC Section. The Ministry of Municipal Affairs and Housing will only accept projects that were originally submitted to them in order to expedite this program within the very restricted time restraints.

5. That the required amount of $31,500.00 to purchase the necessary parts and materials to convert the existing equipment to the new rates in Off-Street Parking Lots be financed by a transfer from the Reserve for Off-Street Parking Account No.0280-14 to Account No.9321-0223 - Operating Supplies.

6. That a minimum rate of $70.00 per day be established for the use of the Old Library Building, 55 Main Street West, by commercial organizations.

7. Section 8 of the Sixth Report of the Parks and Recreation Committee makes reference to an increased grant of $4,000.00 to the Hamilton-Wentworth Creative Arts Inc., organisers of the Festival of Friends, and recommends that the Finance Committee be requested to recommend the method of financing this expenditure.

   In this regard the Finance Committee recommends that this expenditure be financed by an appropriate transfer from within the Special Events Account 0378-50.

8. Approval of the awarding of the following contract:

   BRADSHAW STRADWICK 1979 INC., WELLAND, ONTARIO

   Supply and delivery of Workmen's Clothing in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

1215 Green Trousers at $10.18 each	$12,368.70
150 Short Sleeve Green Shirts at $8.58 each	1,287.00
500 Long Sleeve Green Shirts at $9.18 each	4,590.00
260 Green Overall Jackets at $12.38 each	3,218.80
200 Green Overall Pants at $16.81 each	3,362.00
190 Green Coveralls at $18.98 each	$3,606.20
	$28,432.70

   Ontario Sales Tax Extra

   NOTE: Lowest of 4 acceptable tenders

9. That the Corporation of the City of Hamilton exercise its option for the supply and delivery of stationery requirements by **Cloke and Sons Ltd., Hamilton,** for an additional twelve (12) month period commencing April 1984, and terminating March 31, 1985.

   NOTE: With the adoption of this resolution City Council is exercising its option to renew this contract for a second year. Cloke and Sons' tender was the lowest of three acceptable tenders when received in 1983. The total amount of this Contract varies, depending on the City's requirements, which in 1983 amounted to approximately $56,000.00.

Respectfully submitted,

J. J. Schatz, Secretary
1984 April 5

ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE

Schedule "A"

City of Hamilton
Treasury

Summary of the Projects included in the Canada/Ontario Employment Development (COED) Program for the City of Hamilton, as submitted relative to a Special Allotment of Funds Announced by the Province in late March 1984

Priority Number (1)	Project Number (2)	Department and Project Name (3)	Number of Workers (5)	Total Number of Work Weeks (6)	Payroll (7)	Other Costs (Including Employee Benefits) (8)	Total Costs (5+6) (9)	COED Funding (10)	City Cost (11)
5		**Public Works**							
		Parks Division							
	390-9	Repair & Painting of Park Fixtures	12	132	39,600	11,630	51,230	45,600	5,630
	390-6	Park Development	12	132	39,600	13,730	53,330	47,470	5,860
	390-10	Clean Up of Parks	18	198	59,400	19,855	79,255	70,500	8,755
		Sub-Total Parks Division	42	462	138,600	45,215	183,815	163,570	20,245
		Cemetery Division							
	390-14	Repairing Park Like Area	40	440	132,000	56,720	188,720	168,000	20,720
	390-31	Repairing Monument Bases	9	99	29,700	7,104	36,804	32,900	3,904
		Sub-Total Cemetery	49	539	161,700	63,824	225,524	200,900	24,624
		Streets Division							
	390-16	Cleaning Beach Areas	8	88	26,400	15,360	41,760	35,200	6,560
	390-17	Cleaning Alleyways	7	77	23,100	10,518	33,618	30,800	2,818
	390-20	Water Courses	16	176	52,800	21,450	74,250	60,970	13,280
	390-21	Cleaning City Owned Properties	7	75	22,500	7,830	30,330	27,000	3,330
		Sub-Total Streets Division	38	416	124,800	55,158	179,958	153,970	25,988
8		**Culture and Recreation**							
	390-26	Playground Equipment Inspection	9	99	29,700	5,764	35,464	31,560	3,904
		Sub-Total Culture & Recreation	9	99	29,700	5,764	35,464	31,560	3,904
		Grand Total	**138**	**1,516**	**454,800**	**169,961**	**624,761**	**550,000**	**74,761**
							100.0%	**88%**	**12%**

1984 April 3
BLH/ae

SCHEDULE "A" referred to in Item 4 of the 7th Report of the Finance Committee

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To The Corporation of The City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report and respectfully recommends:

1. (a) That approval be given to **Zoning Application 84-09, The Regional Municipality of Hamilton-Wentworth, owner,** to establish modifications to the Zoning regulations applicable to the property located at #37 Kilbride Road, as shown on the attached plan marked as APPENDIX "A" on the following basis:

That the "M-15" (Prestige Industrial) District provisions of By-law No. 6593 applicable to the subject lands be modified to include the following variances and restrictions:

i) that notwithstanding Section 17G(1) a municipal solid waste transfer station shall be permitted as a public use.

ii) that notwithstanding the provisions of Section 18(4)(iv) of By-law No. 6593 outside waste disposal bins shall be permitted in the required front yard.

iii) that notwithstanding the provisions of Section 2(2)J.(xa) Sections 17G(2)(e) and 17G(2)(h) of By-law 6593, outside waste disposal bins shall be permitted in the required front yard and the required landscape area.

iv) that the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-863, and that the subject land on Zoning District Maps E-49E and E59-E be notated S-863.

v) that the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Maps E-49E and E59E; and;

vi) That the proposed change in Zoning is in conformity with the Official Plan for the Hamilton Planning Area.

(b) That the conditions of sale of the property from the City of Hamilton to the Regional Municipality of Hamilton-Wentworth be amended to permit the outside storage of waste material on the site in storage bins.

Explanatory Note - The purpose of the By-law is to permit the placement of portable outside waste disposal bins in the front yard, just outside the entrance gate and on both sides of the Kilbride Road exit to the Solid Waste Transfer Station, to provide the public with waste disposal service, after normal operating hours. The By-law also amends the "M-15" District by making the Waste Transfer Station a legal conforming use as opposed to its current status as a legal non-conforming use.

2. That approval be given to **Zoning Application 84-06, Joseph A. Maziarz on behalf of Jay Rosenblatt In Trust, owner,** to establish a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs,

etc.) District modified, for property located at 17-21 East Avenue South, as shown on the attached plan marked as APPENDIX "B", on the following basis:

(a) That approval be given to Official Plan Amendment No. 16 to establish a site specific text amendment for the subject lands at 17-21 East Avenue South, to permit a 7-storey, 30-unit multiple dwelling, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs and Housing;

(b) That the subject land be rezoned from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;

(c) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to the subject lands be modified to include the following variances:

i) That notwithstanding the provisions of subsection (3) of Section 11 of By-law No. 6593, only the following yards shall be required:

a) side yards having a width of at least 0.17 m.

ii) That notwithstanding the provisions of subsection (5) of Section 11 of By-law No. 6593, a maximum gross floor area of 3,065 m^2 shall be permitted, provided that the number of dwelling units shall not exceed 30.

iii) That notwithstanding the provisions of subsection (2) of Section 11 of By-law No. 6593, a maximum building height of 7 storeys or 20 m shall be permitted.

iv) That notwithstanding the provisions of subsection (6) of Section 11 of By-law No. 6593, a minimum landscaped area of 45% of the lot area shall be provided.

v) That notwithstanding subclause (xa) of clause J or subsection (2) of Section 2 of By-law No. 6593, a "landscaped area" shall be permitted one storey above grade level on the roof of the parking level.

(d) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-864, and that the subject land on Zoning District Map E-13 be notated S-864;

(e) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-13; and

(f) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 16.

Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit the development of a 7-storey, 30-unit apartment building at 17-21 East Avenue South as shown on Zoning District Map E-13.

The by-law also provides for the following modifications as special requirements:

(a) that no front yard or rear yard shall be required;

(b) that side yards having a minimum width of 0.17 m shall be provided;

(c) that a maximum gross floor area of 3,065 m^2 shall be permitted;

(d) that a maximum of 30 residental dwelling units shall be permitted;

(e) that a minimum landscaped area of 45% of the lot area shall be provided;

(f) that the required landscaped area shall be permitted one storey above grade; and

(g) that a maximum building height of 7-storeys 20 m (65.6') shall be permitted.

3. That approval be given to **City Initative 83-J** to amend By-law No. 6593, as amended by By-law No. 83-226, by modifying the "DE" (Low Density Multiple Dwellings) District zoning applicable to property located at 1388 Barton Street East, as shown on the attached plan marked as APPENDIX "C", on the following basis:

(a) That the "DE" (Low Density Multiple Dwellings) District regulations as applied to the subject lands by By-law No. 83-226, be modified to include the following variance;

i) That notwithstanding the provisions of subsection (1) of Section 10A of By-law No. 6593, a hairdressing establishment shall be permitted subject to the provisions of Section 14 of By-law No. 6593.

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-837a, and that the subject land on Zoning District Map E-63 be notated S-837a.

(c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593, as amended by By-law 83-226, and Zoning District Map E-63, and make application to the Ontario Municipal Board for approval without the requirement for circularization.

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the By-law is to provide for a modification to the "DE" (Low Density Multiple Dwellings) District regulations applicable to property located at No. 1388 Barton Street East, as shown on Zoning District Map E-63, in order to permit a hairdressing establishment.

The subject lands were rezoned to the "DE" District by By-law No. 83-226 (awaiting O.M.B. approval) which implemented the Homeside Neighbourhood Plan.

4. (a) That approval be given to **Zoning Application 84-02, McNally Bros. (1965) Limited, owner**, to establish a change in Zoning from "AA" (Agriculture) District to "A" (Conservation, Open Space, Park and Recreation) District, "C"

(Urban Protected Residential, etc.) District and "DE-3" (Multiple Dwellings, north of Greenhill Avenue, as shown on the attached plan marked as APPENDIX "D" on the following basis:

i) That the lands described as Block 1 be rezoned from "AA" (Agriculture) District to "C" (Urban Protected Residential, etc.) District;

ii) That the lands described as Block 2 be rezoned from "AA" (Agriculture) District to "DE-3" (Multiple Dwellings) District;

iii) That the lands described as Block 3 (ravine lands) be rezoned from "AA" (Agriculture) District to "A" (Conservation, Open Space, Park and Recreation) District;

iv) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593 applicable to the lands described as Block 1 be modified to include the following variance as a special requirement.

a) that notwithstanding the provisions of Sections 9(3)(ii) and (iii) of Zoning By-law No. 6593 no building or structure, except a fence, shall be located less than 7.6 metres from the boundary of the lands described as Block 3 as shown on the attached plan marked as APPENDIX "D".

v) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593 applicable to the lands described as Block 2 be modified to include the following variances as special requirements:

a) That the multiple family development shall not exceed 138 dwelling units.

b) That notwithstanding the provisions of Sections 10C(3)(ii) and 10C(3)(iii) of Zoning By-law No. 6593 no building or structure, except a fence, shall be located less than 7.6 metres from the boundary of the lands described as Block 3 as shown on the attached plan marked as APPENDIX "D".

vi) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-865, and that the subject lands (Blocks 1 and 2) on Zoning District Maps E-87 and E-88 be notated S-865.

vii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-87 and E-88;

viii) That the proposed change in zoning is in conformity with the Official Plan;

ix) That the Red Hill Neighbourhood Plan be amended accordingly.

(b) That approval of the subject Zoning By-law be withheld until:

i) such time as the City and the Region of Hamilton-Wentworth recover the costs for services along Montmorency Drive;

ii) The limits of the lands being rezoned to an "A" (Conservation, Open Space, Park and Recreation) District, shown as Block "3" on the attached APPENDIX "D", have been determined by a survey line established in the field to the satisfaction of the Hamilton Region Conservation Authority.

Explanatory Note - The By-law provides for changes in zoning for the lands shown on the attached Zoning District Maps E-87 and E-88 on the following basis:

Block 1- from "AA" (Agriculture) District to "C" (Urban Protected Residential, etc.) District to permit single-family residential development;

Block 2- from "AA" (Agriculture) District to "DE-3" (Multiple Dwellings) District to permit low density apartment development which shall not exceed 138 dwelling units.

Block 3- from "AA" (Agriculture) District to "A" (Conservation, Open Space, Park and Recreation) District for open space purposes.

In addition, the By-law provides for a modification to the "C" (Urban Protected Residential, etc.) District and the "DE-3" (Multiple Family Dwellings) District to prohibit buildings or structures, except for fences, to be located closer than 7.6 metres to the boundary of the "A" (Conservation, Open Space, Park and Recreation) District lands shown as Block 3.

5. That **Zoning Application 84-10, Tyka Investments Ltd., owner,** to establish a modification to the zoning regulations applicable to the property located at No. 166 Mountain Park Avenue to permit the following:

(a) an increase in the gross floor area of the apartment building now under construction from 1,631 m^2 to 1,725 m^2; and

(b) an increase in the number of apartment units from the permitted 11 units to 12 units.

be denied for the following reason:

It is considered that this zoning application is not in the interest of proper planning and development.

6. That the draft approvals for the **Thorner Survey No. 3 (Regional File No. 25T-76049), Hillside Terrace (Regional File No. 25T-77018), Aspen Estates (Regional File No. 25T-76045), Mohawk Gardens Phase 3 (Regional File No. 25T-79036)** and **Aquila Place (Regional File No. 25T-79002)** subdivisions, be recommended to the Region for one (1) year extensions.

7. **Energy Efficient Family Housing Development - Ryerson School Site Project**

That the following date stated in the Contract of Purchase and Sale between the Corporation of the City of Hamilton and Miraletto Holdings Limited be amended accordingly:

The issuance of building permit (Schedule "C", Item 1) from March 20, 1984 to April 16, 1984.

Explanatory Note - The City Solicitor's Office received a letter, dated March 6, 1984, from Mr. A. Scholes (Weisz & Associates) advising us that his client, Miraletto Holdings Limited, will have all plans of the Ryerson project submitted to the City of Hamilton Building Department by March 12, 1984.

Mr. Scholes confirmed over the phone that if the building permit is issued before April 16, 1984, the Ryerson development project will proceed as scheduled (i.e. as approved by the Planning and Development Committee, January 11, 1984).

8. Having held a public meeting to receive and consider input from various private non-profit housing corporations and other interested groups and organizations regarding the establishment of a Municipal Non-Profit Housing Corporation, the Planning and Development Committee respectfully recommends:

   (a) That City Council approve in principle the establishment of a Municipal Non-Profit Housing Corporation;

   (b) That the City utilize the $5,000. start-up grant to hire a consultant to conduct the Best Buy Analysis, Procurement Technique, approach to loan lenders, and incorporation of the Municipal Non-Profit Housing Corporation as the first steps in establishing a municipal non-profit housing project; and,

   (c) That the decision to proceed with the production of non-profit units be reviewed again by Council once the Corporation is established.

   Explanatory Note - The Municipal Housing Statement Update identified a need for 556 additional assisted housing units, of which 139 would be rent geared to income over the next three years. The Municipal Non-Profit Housing Program can provide the units and also can assist the City to meet other housing objectives and needs at little or no cost to the local taxpayer.

9. That leave be granted to introduce the following bills:

   (a) Bill D-31- By-law to establish Site Plan Control Respecting Lands Within and Surrounding Lloyd D. Jackson Square.

   (b) Bill D-39- By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 75 Queenston Road.

   (c) Bill D-40- To Establish Site Plan Control Respecting Land Located at Municipal No. 75 Queenston Road.

   (d) Bill D-41- By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1245 Upper James Street.

   (e) Bill D-42- By-law to Repeal By-laws No. 75-61 and 75-174 Respecting Setback of Buildings Below Escarpment.

   (f) Bill D-43- By-law to Change the Name of Edward Street to Solidarnosc Place.

(g) Bill D-44- By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 968 Main Street West.

(h) Bill D-45- By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 968 Main Street West.

(i) Bill D-46- By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 96 Locke Street South.

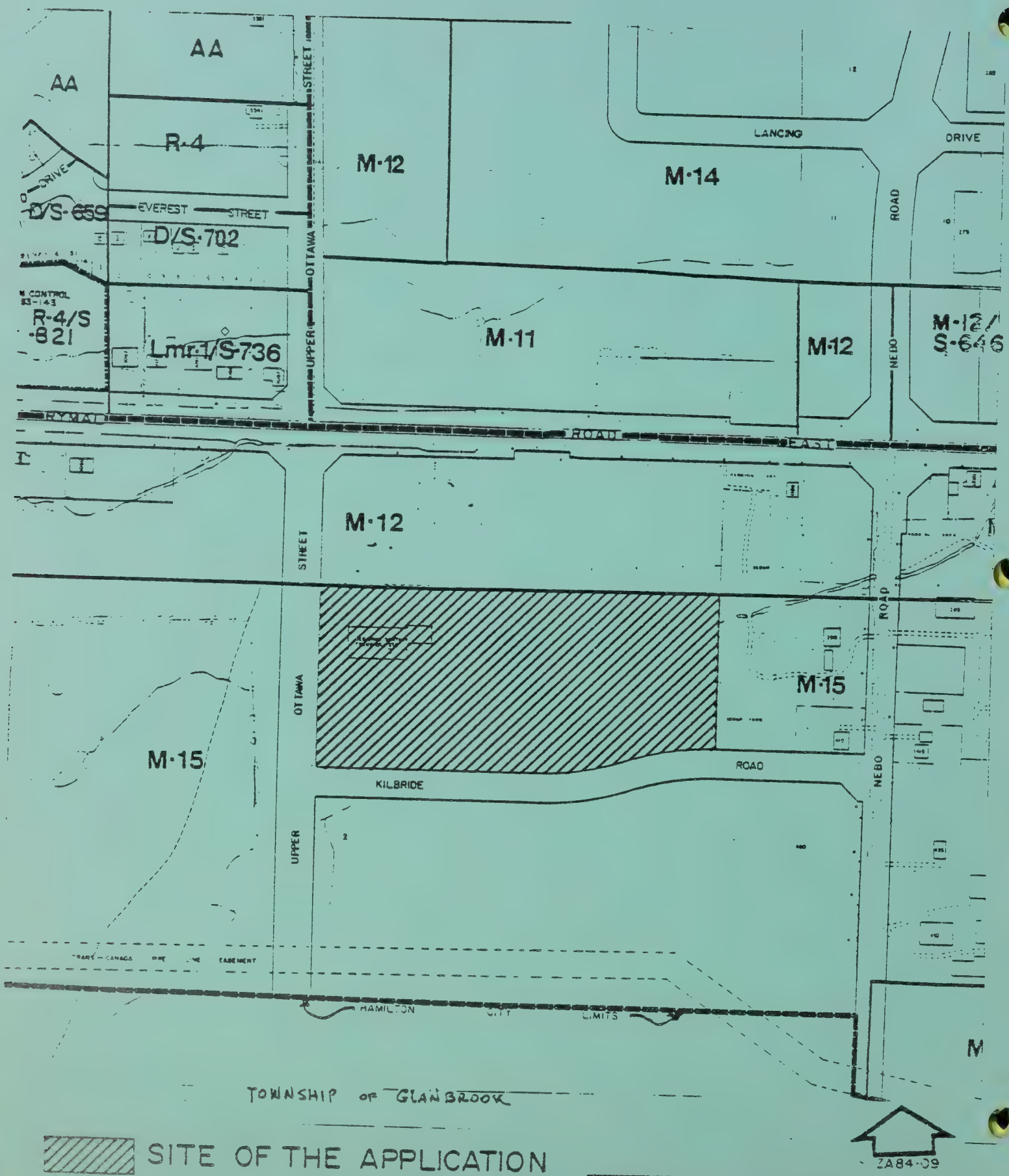
(j) Bill D-47- By-law to Amend Zoning By-law 83-226 Respecting Land in the Homeside Neighbourhood Located at Municipal No. 1388 Barton Street East.

(k) Bill D-48- By-law to Confirm Proceedings of the Council of The Corporation of The City of Hamilton.

Respectfully submitted,

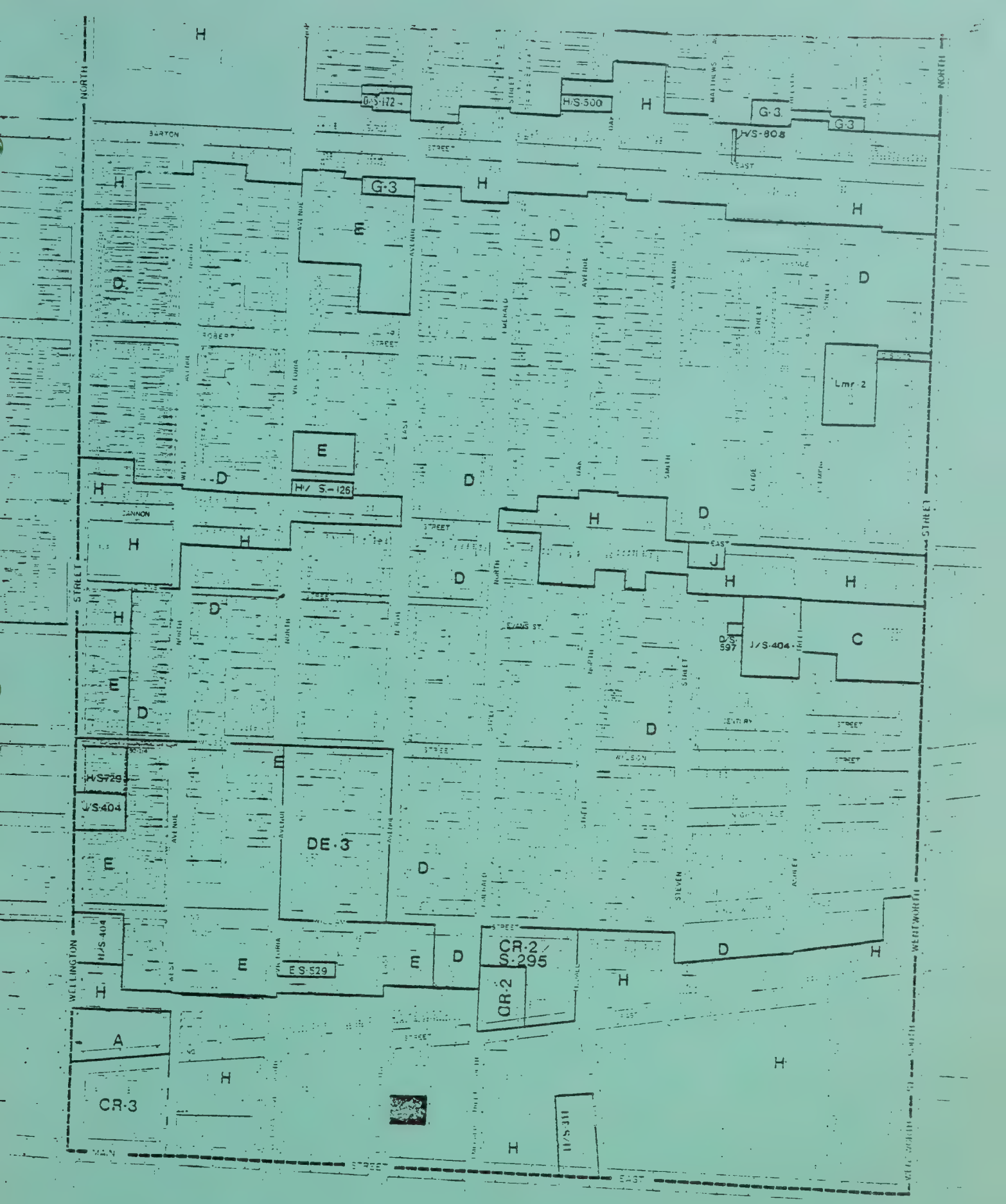
Alderman W.M. McCulloch, Chairman

JDT/sma
March 28, 1984.



APPENDIX "A" as referred to in Item 1 of the Sixth Report of the Planning and Development Committee.

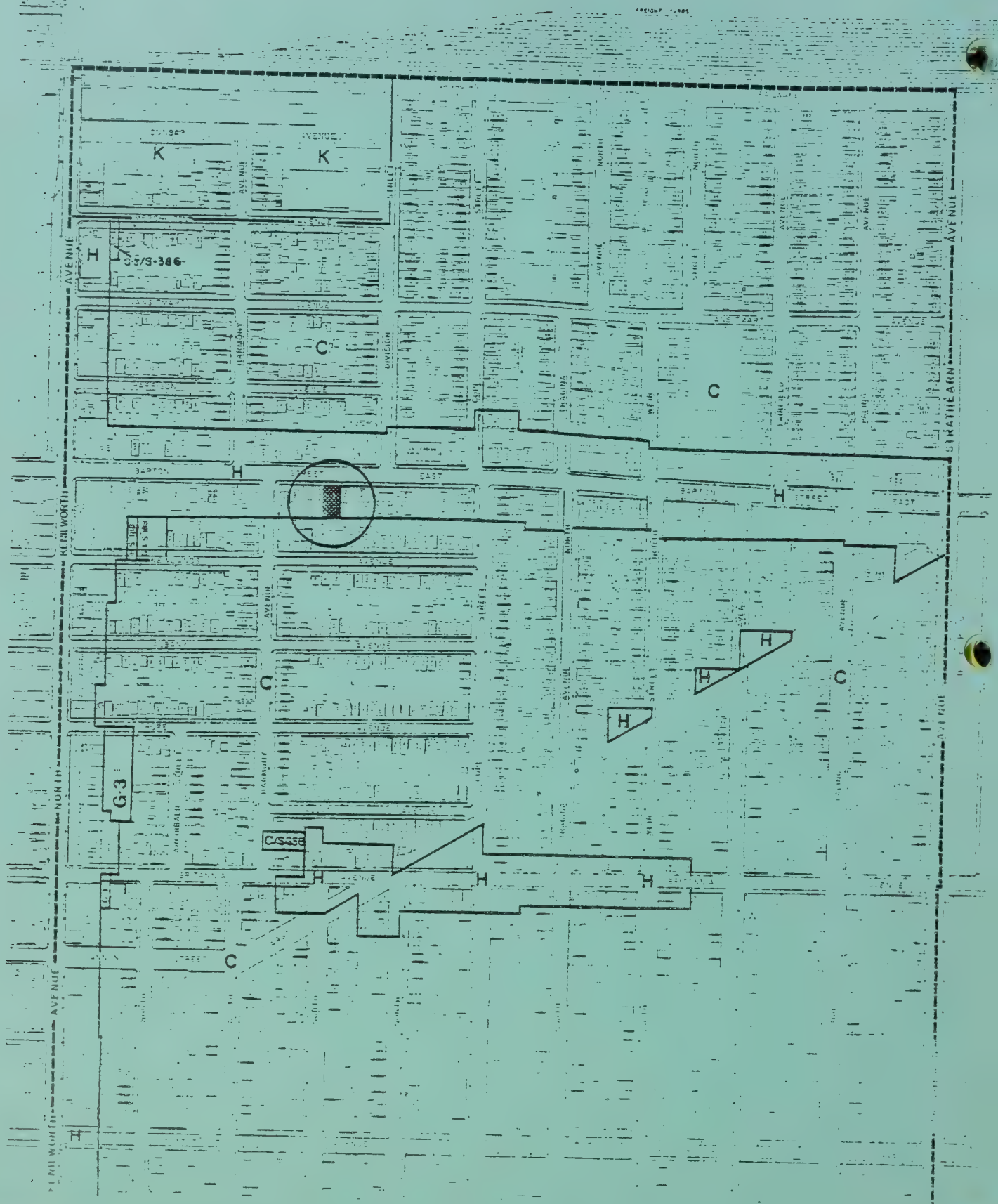
A



SITE OF THE APPLICATION

APPENDIX "B" as referred to in Item 2 of the Sixth Report of the Planning and Development Committee.

B

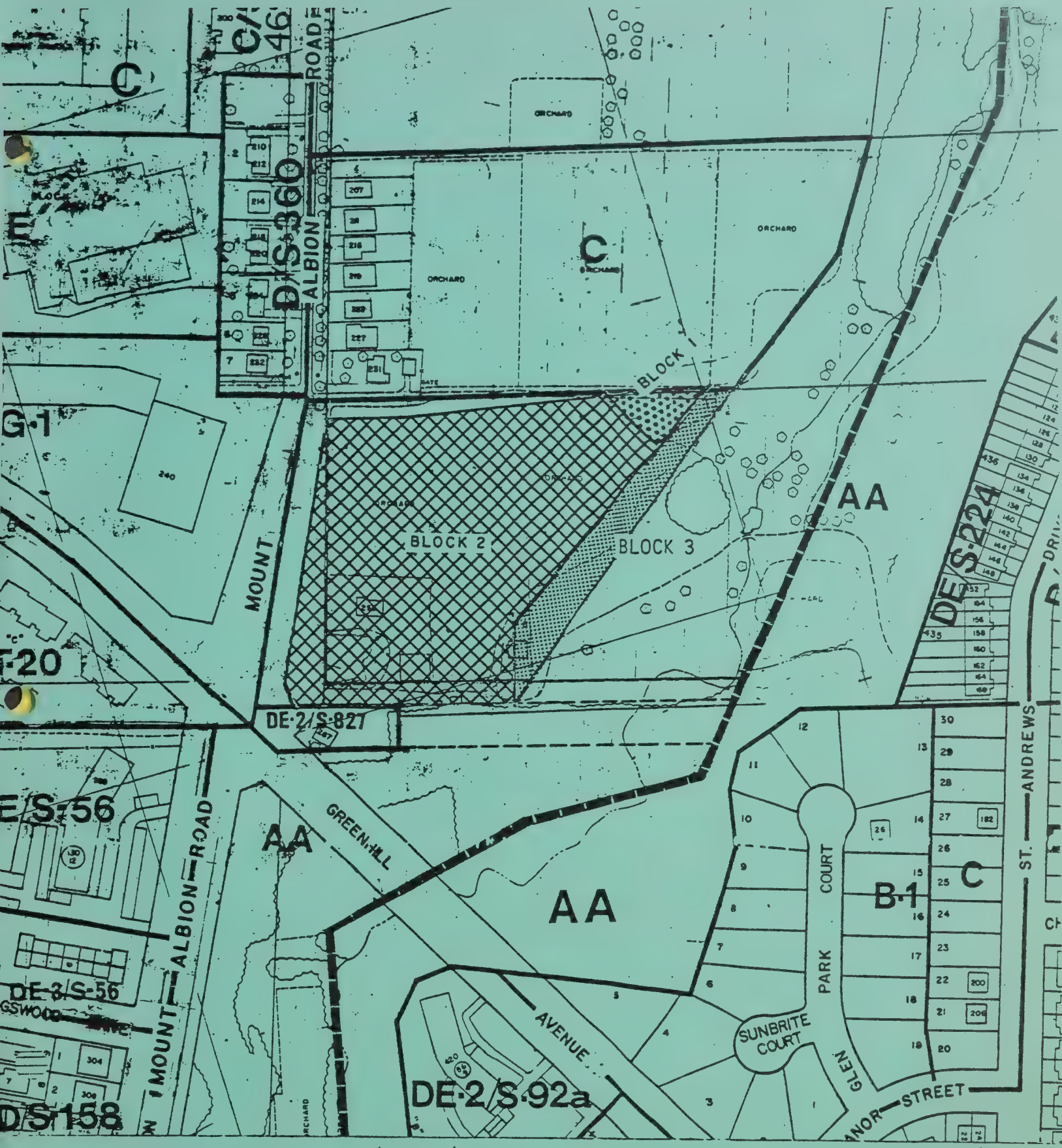


SITE OF THE APPLICATION

APPENDIX "C" as referred to in Item 3 of the Sixth Report of the Planning and Development Committee.

APPENDIX "C"

C



Legend:

Proposed change in zoning from "AA" (Agricultural) District to:

ZA84-02

BLOCK 1 "C" (Urban Protected Residential, etc.) District

BLOCK 2 "DE-3" (Multiple Dwellings) District

BLOCK 3 "A" (Conservation, Open Space, Park and Recreation) District.

APPENDIX "D" as referred to in Item 4 of the Sixth Report of the Planning and Development Committee.

D

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To The Corporation of The City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1984 and respectfully recommends:

1. That the Mayor and City Clerk be authorized to execute, on behalf of The Corporation of The City of Hamilton, an agreement dated April 3, 1984 between the City of Hamilton, Lakeview Development Ltd. and Citibank Canada amending Development Agreement dated November 19, 1981 and Ground Lease dated May 3, 1983, with Lakeview Development Ltd. with respect to the Hamilton Sheraton Hotel Project attached hereto as APPENDIX "A".

2. (a) That, in respect of the Downtown Hamilton Action Plan, du Toit Associates Ltd., dated 1983 January and, the financial requirements for completion of the implementation of the "Conceptual Streetscape Masterplan - Gore Park Area", an amount of seven hundred fifteen thousand dollars ($715,000) be provided in the 1984 Capital Budget, for implementation in 1984 - including design and construction supervision - of:

   (i) King Street (south "leg"), between Hughson and James Street;

   (ii) The "Gore Extension", on the south side of King Street, between Catharine and John Street (adjacent to the Royal Connaught Hotel); and,

   (iii) The "Streetscape Development", James to Mary Street, on both sides of King Street (e.g., trees, benches, waste receptacles, bicycle stands, etc.); and,

   (b) That, the Agreement dated 1983 December 12, between The Corporation of The City of Hamilton and those Associates carrying on the practice of landscape architecture as Moorhead Fleming Corban McCarthy, be amended by supplementary Agreement, satisfactory to the City Solicitor, to provide for the detailed design, tendering and construction supervision of those works described, generally, in subsections (ii) and (iii) of (a), above;

   (c) That, the Mayor and City Clerk be hereby authorized to execute, on behalf of the City Corporation, the supplementary agreement to which reference is made in (b), above; and,

   (d) That, the Director of Community Development be hereby authorized and directed to make application to The Minister of Municipal Affairs and Housing, pursuant to the provisions of the Commercial Area Improvement Programme (C.A.I.P.), for financial assistance, in the form of grants and loans, to aid in financing the cost of those works to which reference is made in subsections (i), (ii) and (iii), Section (a), above.

Explanatory Note - For the information of the Members of City Council, the present Agreement with the firm of Moorhead Fleming Corban McCarthy - in addition to providing for the detailed design, tendering and construction supervision of the new Gore Park, proper - provides for review, and conceptual recommendations respecting the "Gore Extension" and the entire Streetscape Development, from James Street to Mary Street. Having now developed acceptable design concepts, it is appropriate to contract further, with the consultants, in order that these may be appropriately designed in detail, tendered and the supervision of the construction of same be adequately carried out.

This recommendation to further retain the firm of Moorhead Fleming Corban McCarthy, Landscape Architects, is further to, and in refinement of Sections 1., the TWENTY-SIXTH Reports for 1983 of The Parks and Recreation, and Planning and Development Committees, adopted by City Council at its meetings held 1983 November 29 and 1983 December 16, respectively.

For the further information of the Members of City Council, pursuant to the provisions of the Commercial Area Improvement Programme (C.A.I.P.) the Province of Ontario may finance fifty percent (50%) of the cost of the project, to a maximum contribution of five hundred thousand dollars ($500,000); one third of which (i.e., $166,000) may be a grant - if utilized for "soft services" (e.g., the Gore Park Extension) - with the balance being a loan at one half the rate of interest at which the Province borrows.

3. (a) That provision for funding the implementation of the 2nd, 3rd and 4th Priority Actions (Phases) of the Downtown Hamilton Action Plan - including the "banner" and "gateway treatment" programme - at an estimated gross cost of four million, six hundred sixty one thousand dollars ($4,661,000); which amount includes ten percent (10%) for design, and construction supervision and, further provides for inflationary increases from 1984 through 1988, be referred to the Capital Budget Committee for inclusion in the 1984 to 1988 Capital Budget;

(b) That the "2nd Priority" implementation measures of the Downtown Hamilton Action Plan, as received by City Council at its meeting held 1983 January 11, be approved, in principle, by City Council;

(c) That, subject to the action of the Capital Budget Committee and, subsequently, City Council in rrespect of (a), above, moneys be provided for implementation of the "2nd Priority" measures of The Plan, at an estimated gross cost, including design and construction supervision of one million, six hundred three thousand dollars ($1,603,000); eight hundred seven thousand dollars ($807,000) in 1984; and, seven hundred ninety six thousand dollars ($796,000) in 1985, adjusted to "expenditure-year-dollars"; and,

(d) That the "2nd Priority" implementation measures be circulated to the appropriate City, and Regional Committees and, subsequently, their respective Councils for approval in principle and, requesting co-operation in the work required.

Explanatory Note - For the information of the Members of City Council, the "2nd Priority" implementation measures of the Downtown Hamilton Action Plan involve:

- Streetscape treatment to King Street East, between Mary and Wellington Streets;

- Streetscape treatment to James Street between Main and Vine Streets, exclusive of that section adjacent to Gore Park;

- Streetscape treatment to King William Street, between James and John Streets; and,

- The "banner programme" for all areas being implemented in 1984.

In 1984, improvements to King Street East will be implemented and, in 1985 - providing time for a decision to be made in respect of re-routing buses from the south leg of The Gore - improvements to King William Street and James Street will proceed.

4. That the Department of Community Development be directed to process a Designated Property Grant to Mr. M.P. McLaughlin, 95 Arkledun Avenue, in the amount of $1,600.

5. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

   115 West Avenue South
   1 Douglas Avenue
   3 Douglas Avenue

6. That the City Solicitor be authorized and directed to prepare a by-law to rescind By-law No. 83-70, dated February 22, 1983, which was for compliance of an Order dated April 10, 1981, for the demolition of the building and removal of the demolition debris and level the lands at 564 Woodward Avenue pursuant to subsection 21 of section 43 of The Planning Act, R.S.O. 1980, Chapter 379 as the Order dated April 10, 1981 is now in compliance.

7. That the City repurchase property on Stone Church Road East being Part 5, Plan 62R-1174 containing .961 acres duly executed by Cortina Tile and Mosaics Co. Limited on March 14, 1984 and scheduled for closing on or before May 28, 1984.

   This property has a frontage of 100 feet on the south side of Stone Church Road East by a depth of 418.57 feet and contains an area of .961 acres. The purchase price of $15,665 in accordance with Schedule "A", attached hereto as APPENDIX "B", is to be charged to account 0280-02.

8. That if the T. Eaton Company Limited do not proceed with the construction of a 50,000 sq. ft. commercial building on Parcel C by July 1st, 1984, then the City of Hamilton should take the necessary steps to compel Eatons to pay the City the $75,000 penalty payment as contained in the purchase agreement registered on July 7, 1978 (72611 LT).

9. Eleanor Gardens - Phase 5, Hamilton Cash Payment for 5% Parkland Dedication.

   It is recommended that:

(a) Item 11 of the Planning and Development Committee Report 28-80, as adopted by City Council on September 30, 1980 be rescinded; and

(b) The Corporation of the City of Hamilton accept the sum of $6,129.56 as cash payment in lieu of 5% Parkland dedication in connection with "Eleanor Gardens - Phase 5" plan of subdivision.

Explanatory Note - These lands are located south of Stone Church Road between Upper Gage and Leaway Avenue in the Eleanor Neighbourhood, Hamilton.

10 That the City of Hamilton grant a right-of-way over City owned lands being Part ? on Plan 62R-2592, to the north of 183 Centennial Parkway (proposed location of Journey's End Motel) to Hyjo Enterprises Limited, to permit access to rear lands on terms and conditions satisfactory to the City Solicitor.

Respectfully submitted,

Alderman W.M. McCulloch, Chairman

JDT/sma
April 4, 1984

THIS AGREEMENT dated as of the day of December, 1983.

AMONG:

CITIBANK CANADA, a Canadian Chartered Bank, having its head office at the City of Toronto, Province of Ontario,

(hereinafter called the "Bank"),

- and -

THE CORPORATION OF THE CITY OF HAMILTON, a municipal corporation,

(hereinafter called the "City"),

- and -

LAKEVIEW DEVELOPMENT LTD., a corporation continued under the laws of Canada,

(hereinafter called "Lakeview").

WHEREAS:

A. The City and Lakeview have entered into an agreement dated November 19, 1981, amended as of August 3, 1982 and amended by way of a closing agreement dated May 3, 1983, and further amended by way of an amending agreement dated July 29, 1983 (such agreement, as amended, being hereinafter collectively called the "Development Agreement") which provided, inter alia, for the construction of a hotel (the "Hotel") on the lands designated as Part 3 of the schedule annexed hereto and marked "A", the Development Agreement being registered in the Registry Office at Hamilton as Instrument No. ;

B. The City and Lakeview have entered into a lease agreement made as of May 3, 1983 and registered in the Registry Office at Hamilton as Instrument No. 271066 C.D., amended by way of an amending agreement dated July 29, 1983, which amending agreement was registered in the Registry Office at Hamilton as Instrument No. (such agreement of lease, as amended, being hereinafter called the "Ground Lease") pursuant to which the City, as lessor, leased the lands described in the schedule annexed hereto and marked "A" (the "Demised Premises"), to Lakeview, as tenant, and pursuant to which Lakeview, as sub-lessor, is obliged, by Section 22.14 of the Ground Lease, to execute a sublease of the parking area shown on the schedule annexed to the Ground Lease and marked "C", to the City, as lessee, at such time as an appropriate reference plan is prepared properly identifying the parking area;

C. Lakeview and the Bank have entered into an agreement (the "Loan Agreement") made as of the 1st day of November, 1983, which provides, inter alia, for the Bank to make certain loans available to Lakeview in order to finance construction of the Hotel and in order to provide permanent financing for the Project (as that term is defined in the Loan Agreement);

D. Lakeview, as contemplated by the Development Agreement and the Ground Lease, has agreed with the Bank, in accordance with the Loan Agreement, to grant a mortgage of its interests in the Ground Lease to the Bank without in any way whatsoever requesting or causing the interests of the City, as owner of the fee simple estate of the lands described in the Schedule annexed to the Ground Lease, to subordinate such estate to the interests of the Bank;

APPENDIX "A" as referred to in Item 1 of the Seventh Report of the Planning and Development Committee.

03/04/84

E. Lakeview and the City have each agreed, in accordance with the terms, covenants and conditions of the Development Agreement and the Ground Lease, to co-operate with each other and to act reasonably in consenting to and/or approving such amendments to the Development Agreement and/or the Ground Lease as may be reasonably required by either Lakeview or the City in order that Lakeview may commence and complete construction of the Hotel, including such amendments to the Development Agreement and/or the Ground Lease as may reasonably be required in the formulation of any financial plan for the construction of the Hotel;

F. The parties hereto wish to record herein their respective rights and obligations arising from and out of this Agreement;

G. Unless there is something in the subject matter inconsistent therewith or unless otherwise defined herein, all capitalized expressions used herein have the meanings ascribed thereto in the Loan Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and obligations herein contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant and agree to and with each other as follows:

ARTICLE I

STATUS OF GROUND LEASE AND DEVELOPMENT AGREEMENT

1.01 Representations, Warranties and Covenants of Lakeview

Lakeview represents and warrants to the City that the terms, covenants and conditions of this Agreement do not and will not require the City, as lessor, to subordinate any of its fee simple estate of the lands described in the Schedule "A" annexed hereto to the interests of the Bank as mortgagee of the said lands under the provisions of the Loan Agreement and the Security Documents. The City acknowledges that, provided the Bank and the City enter into a Non-Disturbance Agreement with respect thereto in form acceptable to the City, its leasehold interest in the said lands as sub-lessee of the parking area of the Hotel, as more specifically set out in this Agreement, will be subordinated to the interest of the Bank as mortgagee of Lakeview's leasehold interest in the lands.

1.02 Representations, Warranties and Covenants of the City

The City represents and warrants to and in favour of the Bank as follows and hereby covenants and agrees to deliver to the Bank and Lakeview, contemporaneously with the execution hereof and within Seven (7) days of its receipt of a written request from the Bank or Lakeview to do so, a written statement certifying to the Bank and to Lakeview, as of the date of such statement, that:

(a) the Ground Lease is in full force and effect, unamended except for that certain amending agreement between the City and Lakeview dated July 29, 1983 and except for any other amendments herein;

(b) the rent and all other amounts payable by Lakeview to the City pursuant to the Ground Lease have been paid in full;

(c) the Development Agreement is in full force and effect, unamended except for that certain amending agreement dated as of August 3, 1982, and that certain closing agreement dated May 3, 1983, and that certain amending agreement dated July 29, 1983 and except for any other amendments herein;

(d) as of the date hereof, the estimated cost of constructing the items referred to in Section 5.01 of the Development Agreement is $2,450,000.00, the maximum amount which the

City is obligated to pay under Section 5.01 of the Development Agreement, the City has paid Lakeview the sum of $434,728.59 pursuant to the provisions of such Section and subject to the City Engineer determining and confirming the balance to be paid by the City under the provisions of Section 5.01 of the Development Agreement, the City is obligated to pay to Lakeview the further sum of approximately $2,015,271.41 upon completion of the construction of the items therein listed; and

(e) to the knowledge of the City no default has occurred pursuant to or under the Development Agreement or the Ground Lease, no event or circumstance has occurred and no condition now exists which will result, either immediately or with the lapse of time or giving of notice or both, in the occurrence or existence of an event of default under the Development Agreement or the Ground Lease or any document, instrument, agreement or other writing delivered or entered into by Lakeview with the City in connection with or pursuant to the Development Agreement or the Ground Lease.

1.03 Representations, Warranties and Covenants of Lakeview

Lakeview represents and warrants to and in favour of the Bank and the City as follows and hereby covenants and agrees to deliver to the Bank and the City, contemporaneously with the execution hereof and within Seven (7) days of its receipt of a written request from the Bank or the City to do so, a written statement certifying to the Bank and to the City, as of the date of such statement, that:

(a) the Development Agreement is in full force and effect, unamended except for that certain amending agreement dated as of August 3, 1982, and that certain closing agreement dated May 3, 1983, and that certain amending agreement dated July 29, 1983 and except for any other amendments herein;

(b) all payments required to be made by the City to Lakeview pursuant to the provisions of Section 5.01 of the Development Agreement have been paid in full to and including the date of the certificate; and

(c) no default has occurred pursuant to or under the Development Agreement and no event or circumstance has occurred and no condition now exists which will result, either immediately or with the lapse of time or giving of notice or both, in the occurrence or existence of an event of default under the Development Agreement or any document, instrument, agreement or other writing delivered or entered into by the City in connection with or pursuant to the Development Agreement.

1.04 Amendments

Lakeview covenants and agrees with and in favour of the Bank that it will not amend, alter, vary or assign the Development Agreement or the Ground Lease, including, without limitation, any amendment contemplated pursuant to the provisions of the Ground Lease, without the Bank's prior written consent first having been obtained.

1.05 Acknowledgements

The City hereby acknowledges and confirms that:

(a) the address for service upon the Bank specified in paragraph 5.02 hereof shall constitute, pursuant to Section 15.03 of the Ground Lease, the notice specifying an address for any notices to be given by the City to the Bank;

(b) the Bank is hereby approved as the mortgagee of the leasehold interest referred to in Section 5.04 of the Development Agreement; and

(c) the terms of the Loan Agreement and the principal amount of the Construction Loan in the sum of $14,000,000.00 are reasonable and that this confirmation and acknowledgment satisfies the requirement set out in sub-section 16.01 (c) of the Ground Lease.

ARTICLE II

MORTGAGES, CHARGES AND ASSIGNMENTS

2.01 Assignment of Development Agreement

Without in any manner whatsoever limiting the Bank's rights, remedies and recourses under the Loan Agreement and any Security Documents required under the Loan Agreement, the City hereby consents to and acknowledges that Lakeview may mortgage the Ground Lease to and in favour of the Bank and may assign to the Bank all of Lakeview's rights, benefits and title in and to the Development Agreement and Lakeview and the City hereby agree that, notwithstanding such mortgage and assignment, the Bank shall not, in any manner whatsoever, be responsible or liable for the obligations of Lakeview contained in the Ground Lease or the Development Agreement, except in the event that the Bank shall:

(a) in the case of Lakeview's covenants and obligations under the Ground Lease, take possession and control of the Demised Premises and the Hotel or otherwise take steps to enforce its security which have the effect of depriving Lakeview of the ability to fully perform these covenants and obligations, as provided in paragraph 16.01 of the Ground Lease; and

(b) in the case of Lakeview's obligations under the Development Agreement, in the event that the Bank enters into an agreement with the City as provided in paragraph 5.04 of the Development Agreement; and

(c) covenant with the City to perform all the obligations of Lakeview under the Ground Lease; and

(d) cure any default by Lakeview thereunder.

Lakeview acknowledges that, notwithstanding the Assignment to the Bank of its rights, benefits and title in and to the Development Agreement, the obligations of Lakeview, to the City, including those contained in Section 5.04 of the Development Agreement, shall remain in full force and effect.

2.02 Assignment of Performance Bond and Contract

Notwithstanding the provisions of Article 3.06 1(i) of the Development Agreement and the provisions of the Loan Agreement between the Bank and Lakeview, it is hereby understood and agreed that Lakeview shall assign to both the Bank and the City Lakeview's right as obligee of the 100% performance of contract bond for the construction of the Hotel and the construction contract (the "Construction Contract") with Pigott Construction Limited ("Pigott") for the construction of the Hotel, and the Bank and the City covenant and agree as follows:

(a) if Pigott should default in performing any one or more of its obligations under the Construction Contract, or should make a general assignment for the benefit of its creditors, or institute proceedings to subject itself to the Winding-Up Act or be adjudicated a bankrupt or insolvent or shall consent to the institution of bankruptcy or insolvency proceedings against it or shall file an appli-

cation or petition or answer or consent seeking reorganization or readjustment of its indebtedness under the Bankruptcy Act or the Companies' Creditors Arrangement Act or any law of Canada or any province thereof relating to bankruptcy or insolvency or shall consent to the filing of any such application or petition or shall consent to the appointment of a Receiver or a Receiver and Manager or if Pigott or its directors shall pass any resolution authorizing the dissolution or the winding-up of Pigott or if a receiver, interim receiver, trustee or liquidator or inspector or anyone with similar powers of all or substantially all of its property shall be applied for by it or appointed, or if a petition shall be filed, or if a judgment, decree or order shall be made by a court of competent jurisdiction, adjudging it a bankrupt or insolvent or subject to the provisions of the Winding-Up Act or the Bankruptcy Act or determining that proceedings for reorganization, arrangement, adjustment, composition, liquidation, dissolution or winding-up or any similar relief under the Bankruptcy Act or the Companies' Creditors Arrangement Act or any law of Canada or any province thereof relating to bankruptcy or insolvency have been instituted against Pigott (any of such events being hereinafter referred to as "Event" and collectively as "Events") and any such Event referred to herein remains unstayed or undischarged for a period of Thirty (30) days after written notice is given by either the Bank, Lakeview or the City demanding the removal thereof, then the Bank and the City may jointly enforce the 100% performance of contract bond and the Construction Contract, all in accordance with their terms; provided that if either the City, Lakeview or the Bank should neglect and/or refuse to enforce the 100% performance of contract bond and/or the Construction Contract within 90 days following the expiry of the said 30 days of the day of occurrence of any one or more of the Events set out in this sub-paragraph (a), then the other party (ie. either the City or the Bank) as such may be the case, shall be entitled to enforce the 100% performance of contract bond and/or the Construction Contract in such manner as such party shall so determine and the party neglecting and/or refusing shall automatically be deemed to have authorized the party to proceed with such enforcement; and

(b) if any one or more of the Events contained in sub-paragraph (a) herein shall relate to Pigott and if an event of default (as defined in the Loan Agreement) has occurred with respect to Lakeview, then, notwithstanding the assignment by Lakeview of the 100% performance of contract bond and the construction contract to both the Bank and the City, the City shall, upon written request of the Bank, release any and all of its interest therein such that the Bank shall be entitled to take such action as it may, in its absolute discretion, determine in enforcing or otherwise dealing with the 100% performance of contract bond and the construction contract.

ARTICLE III

NOTICE AND DEFAULT

3.01 Provisions of Article 15.00 of Ground Lease to Apply

The parties covenant and agree that the provisions of Article 15.00 of the Ground Lease are incorporated herein by reference and made a part hereof as if recited herein at length and are hereby declared to be enforceable by the Bank against the City in accordance with the provisions of said Article 15.00.

The parties specifically confirm and agree that the provisions of Article 15.00 of the Ground Lease shall override and prevail over the provisions of Article 5.04 of the Development Agreement.

3.02 Right of City to Terminate

Without limiting the generality of Section 3.01 hereof and notwithstanding anything to the contrary contained in the Ground Lease or the Development Agreement, as the case may be, the City covenants and agrees that it shall not exercise any of its rights or remedies provided for in Sections 4.01, 4.02 and 13.01 of the Ground Lease or in Sections 5.03 and 5.04 of the Development Agreement, in law or in equity, including, without limitation, the right to cancel or terminate the Ground Lease or the Development Agreement, nor shall it accept any surrender of the Ground Lease, nor shall it accelerate any basic rent, additional rent or other monies payable under the Ground Lease:

(a) unless and until:

(i) it has given Lakeview written notice (the "Notice") of the default, event or circumstance (the "Default") entitling it to exercise its rights or remedies and delivered to the Bank a copy of the Notice describing in reasonable detail the nature of the Default, the time period for curing such Default and the acts or steps to be taken in order to cure such Default;

(ii) Lakeview has failed or neglected to cure the Default described in the Notice within the time limited in the Ground Lease or in the Development Agreement, as the case may be, for curing such Default; and

(iii) the City has given the Bank further written notice that Lakeview has failed or neglected to cure the Default described in the Notice and the Bank has not cured such Default within a period of Ninety (90) days after receipt by the Bank of such further notice or within a reasonable period of time having regard to the nature of the Default;

or

(b) if the Bank becomes a mortgagee in possession or commenced foreclosure proceedings against its interest in the Project in accordance with the time requirements and the other provisions set out in sub-section 15.03(a) of the Ground Lease, unless the Bank has complied with all the provisions of Section 16.01 of the Ground Lease; or

(c) if the Bank has commenced any power of sale or other provision for the disposition of its interests in the Project, provided that the Bank and any purchaser or assignee shall comply with the time requirements and the other provisions set out in sub-section 15.03(a) of the Ground Lease, unless the Bank has complied with all of the provisions of the Ground Lease.

The City acknowledges that it shall not, as against the interest of the Bank, be entitled to accelerate or accelerate any of the basic rent, additional rent or other monies payable under the Ground Lease.

3.03 Lakeview May Not Terminate Without Consent

Lakeview hereby covenants and agrees with the Bank that notwithstanding its rights and remedies in the Ground Lease or the Development Agreement, in law or in equity, it shall not terminate, surrender or assign the Ground Lease or the Development Agreement without the prior written consent of the Bank.

03/04/84

3.04 First Right to Cure Default

The City covenants and agrees that if the Bank and the Hotelier (as that term is defined in the Ground Lease) are given the right, pursuant to the Ground Lease, to cure a default for non-performance by Lakeview, the City shall first give the Bank the sole and exclusive right to cure such default for a period of Thirty (30) days following the receipt of the notice required to be given by the City pursuant to the Ground Lease, including, without limitation, sub-section 15.03 thereof. If, within the Thirty (30) day period hereinbefore provided, the Bank does not notify the City that it intends to cure such default, then both the Bank and the Hotelier shall have the rights provided to them pursuant to the Ground Lease to cure such default.

ARTICLE IV

INSURANCE

4.01 Loss Payee

Without in any way limiting the generality of sub-section 4.06 (e) of the Ground Lease, all policies of property insurance shall be written in the names of the City, Lakeview and the Bank as named insured and shall be payable to the named insured as their respective interests may appear.

4.02 Sub-section 4.06 (g) of Ground Lease to Govern

The parties acknowledge and agree that sub-section 4.04 (k) of the Development Agreement has been superceded and replaced by sub-section 4.06 (g) of the Ground Lease, provided, however, that nothing herein contained shall relieve Lakeview from its obligations to make good any deficiency in the event that any insurance proceeds received are insufficient to pay for the completion of whatever repairing, rebuilding and reinstating is required pursuant to the Ground Lease.

4.03 Damage or Destruction

Notwithstanding the provisions of Sections 4.06(e), 4.06(g) and 6.05 of the Ground Lease and Section 4.01 hereof, the City and Lakeview hereby agree that the Bank has the right, but not the obligation, to require all insurance proceeds payable in respect of any damage or destruction to the Improvements be paid to the Bank to the extent of the indebtedness then owing by Lakeview to the Bank.

4.04 Termination of Ground Lease Upon Destruction

Lakeview agrees with the Bank that it will not exercise its option to terminate in the event of a destruction referred to in subsections 6.05 (c) or (d) of the Ground Lease, unless and until all amounts owing by Lakeview to the Bank are paid in full.

ARTICLE V

NOTICES AND APPROVALS

5.01 Requisite Approvals Under Ground Lease and Development Agreement

The City and Lakeview acknowledge that all consents, orders and approvals required with respect to the Ground Lease and referred to in Section 2.02 thereof and with respect to the Development Agreement and referred to in Section 2.02 thereof have been obtained, except for those enumerated in Schedule " " annexed hereto. The City and Lakeview agree that they shall forthwith notify the Bank in writing of any decision resulting from any hearing, proceeding or other application instituted to obtain such consent, order or approval.

5.02 Delivery of Notices to Bank

All notices required or permitted to be given by either party to the Ground Lease or the Development Agreement to the other of them shall simultaneously be given to the Bank in accordance with Section 7.01 herein.

5.03 Bank to Receive Notice of Default

The City agrees that it will give to the Bank written notice of any default by Lakeview under the Ground Lease or the Development Agreement. Lakeview agrees that it will deliver to the Bank written notice of any default by the City under the Ground Lease or the Development Agreement.

5.04 City to Receive Notice of Default

The Bank agrees that it will give to the City written notice of any default by Lakeview under the Loan Agreement and/or any security documents executed by Lakeview in favour of the Bank arising from and out of the Loan Agreement.

ARTICLE VI

MISCELLANEOUS

6.01 Attornment

The City hereby acknowledges that, upon receipt by the City of a Non-Disturbance Agreement, in form and content of same attached hereto as Schedule "B", duly executed by the Bank, the sublease referred to in Section 22.14 of the Ground Lease and all of the rights of the City thereunder are, and at all times, shall be subject and subordinate to the Mortgage of the Ground Lease granted by Lakeview to the Bank, including all renewals and extensions thereof. Upon request of the Bank, provided the City is in receipt of said Non-Disturbance Agreement, the City shall, as sub-lessee, attorn to the Bank and any purchaser of the Bank's interest upon a foreclosure or sale of the Ground Lease or the Improvements.

6.02 Bank to Hold Insurance Proceeds

The City and Lakeview hereby agree that the financial institution referred to in sub-section 4.06 (g)(v) of the Ground Lease shall be the Bank, at its head office at Toronto, Ontario, unless otherwise agreed to.

6.03 Commencement of Construction

The City and Lakeview hereby confirm the commencement of construction of the Project on the 3rd day of August, 1983 and that Lakeview is required to complete the Project on or before the 3rd day of August, 1985.

6.04 Extended Meaning of Reasonable Time

The City hereby acknowledges that the "reasonable time" referred to in Section 5.04 of the Development Agreement shall not be less than Three (3) months.

6.05 Erection of Signs

The City agrees that the Bank shall have the right to erect and maintain a sign indicating that the Bank is providing construction and permanent financing to Lakeview at a location on or in the Project and in such dimensions as is acceptable to the City. The Bank and Lakeview confirm that the provisions of the Loan Agreement respecting the erection and maintenance of a sign shall continue to apply.

03/04/84

6.06 Conditions in Development Agreement

The City acknowledges that each of the conditions set out in Section 3.06 of the Development Agreement, including, without limitation, the approval of the Plans (as such term is defined in the Development Agreement) or the approval of the Final Working Drawings and Specifications for the Improvements (as those capitalized expressions are defined in the Development Agreement) and each of the provisions set out in sub-paragraphs (a) to (e), inclusive, of Section 3.01 of the Development Agreement have been satisfied, fulfilled and fully performed by Lakeview except for those items enumerated on Schedule "C" annexed hereto and the City shall, from time to time, within Seven (7) days of its receipt of a written request from the Bank or Lakeview, deliver to the Bank and Lakeview a written statement certifying the then status of the items enumerated on Schedule "C" hereto.

6.07 Termination of Bank's Rights

The rights and obligations of the Bank under this Agreement shall cease at such time as the Bank has been repaid in full for any monies advanced by the Bank to Lakeview and accrued interest thereon and all other costs, all as defined in the Loan Agreement.

6.08 City's Acknowledgements

The City hereby acknowledges:

(a) that Lakeview has complied with all of the provisions of Section 3.05 (2) of the Development Agreement;

(b) that Lakeview has complied with the provisions of the Development Agreement (and in particular Section 4.04(a) thereof) and the Ground Lease with respect to the right to obtain possession of the Demised Premises and is now in possession of the Demised Premises.

6.09 Changes to Development Agreement and Ground Lease

The City and Lakeview hereby agree:

(a) that the provisions of Section 4.04 (b) of the Development Agreement and in particular the provisions of lines 13 to 22 on page 23 thereof, which state:

"No building fixtures or equipment on the Premises ... shall be subject to any conditional agreement or to any lien, encumbrance or claim not expressly permitted by the foregoing."

shall not be interpreted so as to prevent Lakeview from encumbering such building fixtures or equipment on the Demised Premises by way of mortgage and/or creating a security interest thereon in favour of the Bank or any other third party providing financial assistance to Lakeview in the development of the Hotel;

(b) that the provisions of Section 5.13 of the Development Agreement and in particular the provisions of line 12 on page 39 thereof, which states:

"upon not less than 20 days"

shall be deleted and the following words inserted in their place:

"upon not less than 7 days."

6.10 Conflict Between Development Agreement and Ground Lease

The City and Lakeview hereby acknowledge and agree that wherever and whenever a conflict shall arise between the provisions of the

Development Agreement and the provisions of the Ground Lease, the provisions of the Ground Lease shall prevail.

ARTICLE VII

GENERAL CONTRACT PROVISIONS

7.01 Notice

Unless otherwise provided herein, any notice, demand or other communication which, by the terms hereof, is required or permitted to be given by one of the parties hereto to the other or others of them, shall be in writing and may be given by delivering same, or (except in the case of an actual or pending disruption of postal service) by mailing same by registered mail, postage prepaid, or by sending same by telegram, telex, telecommunications or other similar form of communication, addressed to such other party or parties or delivered to such other party or parties as follows:

(a) to the Bank at:

University Place
Suite 1900, 123 Front Street, West
Toronto, Ontario
M5J 2M3

Attention: V.P. Corporate Real Estate

(b) to Lakeview at:

6th Floor, 185 Carlton Street
Winnipeg, Manitoba
R3C 3J1

Attention: President or General Manager

(c) to the City at:

City Architect's Office
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attention: Co-ordinator, Lloyd D. Jackson Square

or at such other address as may be given by any of them or the others in writing from time to time. Any such notice, demand or other communication shall, if delivered, be deemed to have been received on the day on which it is delivered, if sent by telegram, telex or telecommunication or similar form of communication, be deemed to have been received on the next business day after it was so sent and, if mailed as aforesaid, be deemed to have been received on the fifth (5th) business day following the day on which it was mailed; provided that if any such notice, demand or other communication shall have been mailed and if regular mail service shall be interrupted by strikes or other irregularities following the mailing thereof but prior to the day upon which receipt is deemed to have occurred hereunder, such notice, demand or other communication shall be deemed to have been received forty-eight (48) hours after 12:01 a.m. on the day following the resumption of normal mail service.

7.02 Sections and Headings

The division of this Agreement into Articles and Sections and the insertion of headings are for convenience of reference only and shall not be construed to affect the meaning, construction or effect of this Agreement.

7.03 Entire Agreement

This Agreement constitutes the entire agreement between the parties hereto pertaining to the subject matter hereof and supercedes all prior and contemporaneous agreements, understandings, negotiations and discussions, whether oral or written, of the parties and there are no warranties, representations or other agreements between the parties in connection with the subject matter herein except as specifically set forth or referred to herein.

7.04 Time of Essence

Time shall be of the essence of this Agreement and every part hereof.

7.05 Assignments

The parties hereto shall not be entitled to assign this Agreement or their respective rights hereunder without the prior written consent of the other parties hereto.

7.06 Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.

7.07 Invalidity

The invalidity or unenforceability of any of the provisions of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement and such invalid or unenforceable provision shall be fully severable from and shall be deemed never to have been part of this Agreement.

7.08 Extended Meanings

The words "hereof", "herein", "hereunder" and similar expressions used in any section or sub-section of this Agreement relate to the whole of this Agreement and not to that section or sub-section only, unless the context otherwise requires.

7.09 Successors and Assigns

This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.

7.10 Number and Gender

All nouns and personal pronouns relating thereto shall be read and construed as the number and gender may require and the verb shall be read and construed as agreeing with the noun and pronoun.

7.11 Remedies Generally

Mention in this Agreement or in the Ground Lease of any particular remedy of the Bank in respect of a default by Lakeview, or otherwise, does not preclude the Bank from any other remedy in respect thereof, whether available at law or in equity or by statute or expressly provided for in this Agreement or in the Ground Lease. No remedy shall be exclusive or dependent upon any other remedy, but the Bank may, from time to time, exercise any one or more of such remedies generally or in combination, such remedies being cumulative and not alternative.

IN WITNESS WHEREOF the parties hereto have executed these presents as of the day and year first hereinabove written.

CITIBANK CANADA

PER: _____

Continued on Page 12

LAKEVIEW DEVELOPMENT LTD.

PER: _____

PER: _____

THE CORPORATION OF THE CITY OF HAMILTON

PER: _____

PER: _____

SCHEDULE "A"

ATTACHED TO AND FORMING part of a certain Agreement between CITIBANK CANADA, THE CORPORATION OF THE CITY OF HAMILTON and LAKEVIEW DEVELOPMENT LTD. dated as of the day of December, A.D. 1983.

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, and being composed of Part of Lots 1 and 2 and the unnumbered lot in Block 1, Part of Lots 1 and 2 and the unnumbered lot in the Block bounded by Market, MacNab, King and Park Streets all according to David Kirkendall survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 39; and Part of Park Street immediately east of the said Block 1 (said Park Street now closed by the City of Hamilton By-law No. 81-14 dated December 9, 1980 and registered in the said Land Registry Office as Instrument No. 174954CD) and which said parcel may be more particularly described as all of Part 1 according to a reference plan received and deposited in the said Land Registry Office on April 22, 1980 as Plan 62R-5316.

THIS AGREEMENT dated as of the
day of December, 1983.

AMONG:

CITIBANK CANADA, a Canadian Chartered Bank, having its head office at the City of Toronto, Province of Ontario,

(hereinafter called the "Bank"),

- and -

THE CORPORATION OF THE CITY OF HAMILTON, a municipal corporation,

(hereinafter called the "City"),

- and -

LAKEVIEW DEVELOPMENT LTD., a corporation continued under the laws of Canada,

(hereinafter called "Lakeview").

A G R E E M E N T

McJANNET, WEINBERG, RILEY, ADAM
Barristers & Solicitors
5th Floor - 175 Carlton Street
Winnipeg, Manitoba
R3C 3H9

03/04/84

SCHEDULE "A"

1298 Stone Church Rd. E.
Hamilton

Owner's Interest
Cortina Tile & Mosaics Co.Limited

ELEMENTS OF COMPENSATION

Market Value of Realty	$14,415.00
Vendors Costs associated with the prepayment of local improvements charges relating to storm & sanitary sewer installations on Stone Church Rd. E.	1,250.00
TOTAL COMPENSATION	$15,665.00

DATED at Hamilton this 14th day of March, 19 84.

WITNESS:

CORTINA TILE & MOSAICS COMPANY LIMITED

Per:

Secretary

President

APPENDIX "B" as referred to in Item 7 of the Seventh Report of the Planning and Development Committee.

E

REPORT OF THE LEGISLATION COMMITTEE

To The Corporation of The City of Hamilton.

Members of Council:

The Legislation Committee presents its **SIXTH** Report for 1984 and respectfully recommends:

1. That the following resolutions be endorsed:

(a) **City of Hamilton**

WHEREAS The Ontario Ministry of Labour has designated several substances for regulation in Ontario work places, and

WHEREAS These regulations exclude construction workers because their exposure levels are not applicable, and

WHEREAS Construction workers are exposed to many of these deadly chemicals without regulatory protection.

THEREFORE BE IT RESOLVED That Hamilton City Council initiate a campaign to pressure the Ministry of Labour into developing regulations that provide full protection for construction workers.

THEREFORE BE IT FURTHER RESOLVED That copies of this Resolution be forwarded to area M.P.P.'s and leaders of the Provincial Liberal Party, Provincial Conservative Party and Provincial New Democratic Party.

(b) **City of Thunder Bay**

RESOLUTION 1

THAT the proper Communication authorities be informed about our strong displeasure with the growing problem of solicited "OBSCENE PHONE CALLS" via the U.S. toll-free numbers;

AND THAT the authorities do everything possible to remedy this problem.

RESOLUTION 2

THAT the Ministry of Education be requested to implement into the school curriculum study units on the topic of pornography;

AND THAT this resolution be forwarded to all municipalities in the Association of Municipalities of Ontario jurisdiction.

RESOLUTION 3

THAT Thunder Bay Telephone explore with Bell Canada the possibility of reversing charges on the "Obscene Phone" Lines to the U.S. number being called.

2. That the Mayor be authorized to issue the following Proclamation passed by the Province of Ontario proclaiming the month of May as Family Unity Month in the Province.

   "WHEREAS the family is widely recognized as the basic and most important unit in our society, providing love, acceptance, guidance, support and instruction to the individual;

   AND WHEREAS the quality of community life and the preservation of cultural, religious and familial traditions begins with the family;

   AND WHEREAS the family is the basis upon which communities and our nation is built;

   THEREFORE the month of May, 1984 be proclaimed as Family Unity Month in Ontario, a time to be thankful for the family as the foundation of our society and a time to recommit ourselves to the concept of the family, a concept that must withstand the trends of lifestyle and social transition."

3. That the Mayor be authorized to issue a Proclamation proclaiming Daylight Savings Time in the City of Hamilton from 2:00 a.m. Sunday, April 29, 1984 to 2:00 a.m. Sunday, October 28, 1984.

4. That the City Solicitor be authorized and directed to prepare a by-law to amend By-law No. 81-36, "To Establish the Office and Prescribe the Duties of a Chief Administrative Officer" by deleting item 10 of section 2 which reads as follows:

   "Attend at all City Council meetings and attend at Committee meetings upon request or as may be necessary or adviseable"

   and substituting in lieu thereof,

   "Attend at all City Council meetings and Standing Committee meetings"

5. That permission be granted to the Festival of Friends to use the City Hall forecourt as part of their Grand Opening Ceremonies to be held on Thursday, August 9, 1984.

Respectfully submitted,

Alderman V.J. Agro, Chairman

JDT/sma
April 3, 1984

Bill No. A-16

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

By-law No. 77-181

Respecting:

CONTROL OF AIRCRAFT ON APRONS

WHEREAS By-law No. 77-181, passed on the 28th day of June, 1977, in accordance with paragraph 9 of section 352 of The Municipal Act, R.S.O. 1970, Chapter 284, (now R.S.O. 1980, Chapter 302, section 208, paragraph 10), and paragraph 9a of the ground lease, as amended by paragraph "G" of Instrument No. 101686, provided for the establishment of rules and regulations respecting the use of the airport by motor vehicles;

AND WHEREAS it is intended to regulate the use of aircraft on aprons.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 77-171 is amended by,

   (a) adding immediately preceding section 1 the following:

PART I

USE OF AIRPORT BY PERSONS AND MOTOR VEHICLES

   (b) deleting "PART II USE OF AIRPORT PROPERTY BY COMMERCIAL VEHICLES" immediately preceding section 14.

2. Section 1 of the said by-law is amended by striking out "In this by-law" in the first line and substituting in lieu thereof "In this Part,".

3. The said by-law is amended by renumbering sections 23, 24, 25, 26, and 27 as 26, 27, 28, 30, and 31, respectively.

4. The said by-law is amended by adding thereto the following:

PART II

USE OF AIRPORT PROPERTY BY AIRCRAFT

23. In this Part,

   (a) "apron traffic control clearance" means authorization by an apron traffic control unit for an aircraft to proceed on a controlled apron;

(b) "apron traffic control instruction" means a directive issued by an apron traffic control unit for airport apron traffic and gate control purposes;

(c) "apron traffic control unit" means staff at the airport that provides apron traffic control service at the airport and includes the staff of a mobile control vehicle;

(d) "controlled apron" means an apron at the airport where apron traffic control service is provided;

(e) "operator", in respect of an aircraft, means the person in possession of the aircraft, whether as owner, lessee, hirer or otherwise, and a person in whose name the aircraft is registered;

(f) "owner" has the same meaning as in the Air Regulations;

(g) "park" means the standing of an aircraft, occupied or not;

(h) "pilot-in-command" means the pilot responsible for the operation and safety of an aircraft.

24. Every person shall comply with the following regulations:

1. Not move or park an aircraft on a controlled apron except in compliance with an apron traffic control clearance or an apron traffic control instruction.

2. Not park an aircraft on a controlled apron beyond the time limit set in the last traffic control instruction,

(a) that was received by the operator or pilot-in-command before the aircraft was parked, or

(b) that is later issued by the apron traffic control unit and delivered to the owner or operator of the aircraft or the person in whose name the aircraft is registered.

3. Not park an aircraft in a place not authorized by the airport manager.

4. Not park an aircraft in such a manner as in the opinion of the airport manager constitutes an obstruction on the airport property.

5. Not operate or park an aircraft on an apron in such a manner as may endanger life or property.

25. The operator or pilot-in-command of an aircraft shall comply with the following regulations:

1. Maintain a continuous watch on radio frequencies designated for apron communication.

2. Maintain a watch for such instructions as may be issued by visual means from an apron traffic control unit where a continuous radio watch is not possible.

3. Obtain either by radio or visual signal authorization for his movement from that unit where an apron control unit is in operation.

4. Acknowledge that he has received apron traffic control clearance or apron traffic control instruction immediately upon receipt of the clearance or instruction.

5. Immediately move the parked aircraft upon order and in compliance with instructions, of the airport manager or any person authorized by him to issue an order and provide instructions.

6. Observe other apron traffic for the purpose of avoiding a collision.

5. (1) Subsection 1 of section 25 of the said by-law is amended by inserting at the end of the second line "Part I of".

(2) Subsection 3 of section 25 of the said by-law is amended by striking out the numerals "48" in the third line and inserting in lieu thereof the numerals "52".

6. The said by-law is amended by adding thereto the following:

29. (1) The airport manager or a person duly authorized by him, upon observing an alleged contravention of any regulation in section 24 of Part II of this by-law, may cause the aircraft to be moved or taken to a place or stored in a suitable place.

(2) Where the aircraft is parked contrary to a regulation in section 24 of Part II of this by-law, the operator of the aircraft shall pay the expense of removal and storage of the aircraft.

(3) All costs and charges for removing, care and storage of the aircraft are a lien upon the vehicle which may be enforced in the manner provided by section 52 of The Mechanics' Lien Act.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1983) 11 R.T.E.C. 3, June 28

Bill No. A-17

By-law No. 84 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 26 (No Parking Areas) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding to Section A (No Parking Anytime) the following items, namely:-

"Teresa	East	Dover to a point 31 feet south of the south curb of Meta
Crawford	East	Kentley to Nugent".

2. Schedule 26A (No Parking Areas) is hereby amended by adding to Section A (No Parking, 7:00 a.m. to 6:00 p.m.) the following item, namely:-

"Belmont	East	commencing at a point 68 feet south of Roxborough and extending to a point 26 feet southerly therefrom".

3. Schedule 26B (No Parking Areas) is hereby amended by deleting therefrom the following item, namely:-

"Bold	North	Queen to Bay	2nd Tues. each month 1:00 p.m. - 4:00 p.m.".

and by adding thereto the following items, namely:-

"Bold	North	Queen to Hess	2nd Tues. each month 1:00 p.m. - 4:00 p.m.
Bold	South	Hess to Caroline	2nd Tues. each month 1:00 p.m. - 4:00 p.m.
Bold	North	Caroline to Bay	2nd Tues. each month 1:00 p.m. - 4:00 p.m."

PASSED this day of , A.D. 1984.

City Clerk Mayor

(1984) 6 R.T.E.C. 25, April 10

The Corporation of the City of Hamilton

BY-LAW NO. 84-

TO EXPROPRIATE LANDS

For Redevelopment as a park

WHEREAS Section 22, subsection 2, of The Planning Act, R.S.O. 1980, Chapter 379, provides that a municipality that has an official plan may pass by-laws with the approval of the Minister to designate areas of the municipality within such official plan as redevelopment areas;

AND WHEREAS The Corporation of the City of Hamilton has an official plan and did with the approval of the Minister, on September 14, 1982 enact by-law 82-196 to designate the Homeside Neighbourhood as a redevelopment area;

AND WHEREAS The Corporation of the City of Hamilton has by by-law 83-26 passed on December 14, 1982 adopted a redevelopment plan for the said Redevelopment Area pursuant to and in accordance with Section 22(5) of the said Planning Act;

AND WHEREAS subsection 3 of the said Section 22 provides that a municipality which as so designated a redevelopment area may, with the approval of the Minister, -

(a) acquire land within the redevelopment area;

(b) hold land acquired before or after the passing of the by-law within the redevelopment area; and,

(c) clear, grade or otherwise prepare the land for redevelopment.

AND WHEREAS on May 5, 1983 the Minister did approve the acquisition of the lands described in Schedule "A" below for redevelopment as a park;

AND WHEREAS the lands described in Schedule "A" below are wholly situate within the said Redevelopment Area;

AND WHEREAS Section 74 of The Planning Act, 1983, S.O. c.1, provides that the redevelopment provisions of The Planning Act, R.S.O. 1980, c.379 shall continue to apply to those redevelopment areas designated by by-law on or before August 1, 1983;

AND WHEREAS Section 193 of The Municipal Act, R.S.O. 1980, Chapter 302 states that the Council of a municipality may pass by-laws for acquiring or expropriating any land required for the purposes of the Corporation;

AND WHEREAS on December 13, 1983 pursuant to The Expropriations Act, R.S.O. 1980, Chapter 148, The Corporation of the City of Hamilton, as expropriating authority, did authorize application to the Council of The Corporation of the City of Hamilton as approving authority, for approval of the expropriation of the lands described in Schedule "A" below;

AND WHEREAS Notices of the said application as required under The Expropriations Act have been duly served upon those entitled;

AND WHEREAS The Corporation of the City of Hamilton as expropriating authority, did publish Notice of the said application in The Spectator, a newspaper having general circulation in the City of Hamilton in accordance with the said Expropriations Act;

AND WHEREAS an inquiry hearing to determine if the proposed expropriation was fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority was not requested in respect of the lands set out below in Schedule "A";

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. As approving authority under the said Expropriations Act, the application for the approval to expropriate the lands described in Schedule "A" below for redevelopment as a park made by The Corporation of the City of Hamilton, as expropriating authority, be and is hereby granted.

2. As expropriating authority under The Expropriations Act, The Corporation of the City of Hamilton hereby expropriates the lands described in the said Schedule "A" below for redevelopment as a park.

3. The City Clerk and the proper officers of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this by-law and this authority shall include the taking of all necessary proceedings to enter and take possession of the lands herein expropriated.

PASSED this day of A.D., 198 .

Mayor

City Clerk

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and more particularly described as follows:

FIRSTLY: All of Lot 137, Homeside Extension, registered in the Land Registry Office for the Registry Division of Wentworth as Registered Plan No. 498 and being more particularly described as Part 2 on a reference plan registered in the said Registry Office as Plan 62R-6247.

SECONDLY: All of Lot 336 according to Roxborough Gardens registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 613 and designated as Parts 10 and 11 on a reference plan received and deposited in the said Land Registry Office as Plan 62R-6210. SUBJECT to a right-of-way in favour of the owners of the lands to the north for ingress and egress over said Part 10 being part of Lot 336 according to the said Registered Plan No. 502. TOGETHER with a right-of-way for ingress and egress over that parcel or tract of land to the north, being composed of part of Lot 335 according to said Registered Plan No. 613 and designated as Part 9 on the said Reference Plan No. 62R-6210.

THIRDLY: All of Lots 131 and 132 according to Fairfield Survey, registered in the Land Registry Office for the Registry Division of Wentworth as Registered Plan No. 502 and designated as Part 2 (being Lots 131 and 132) and Part 3 (being part of Lot 131) on a reference plan received and deposited in the said Land Registry Office as Plan 62R-6284. SUBJECT to a right-of-way in favour of the owners of the said lands to the north for ingress and egress over said Part 3 (being part of Lot 131) according to the said Registered Plan No. 502. TOGETHER with a right-of-way to ingress and egress over that parcel or tract of land to the north being composed of part of Lot 130 according to said Registered Plan No. 502 and designated as Part 4 (being part of Lot 130) on the said Reference Plan 62R-6284.

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Establish:

Site Plan Control

Respecting:

LANDS WITHIN AND SURROUNDING LLOYD D. JACKSON SQUARE

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

33a. Land shown as Block 1 on Appendix 33a, hereto annexed and forming part of this by-law.

33b. Land shown as Blocks 2, 3, 4, 5, 6, and 7 on Appendix 33b, hereto annexed and forming part of this by-law.

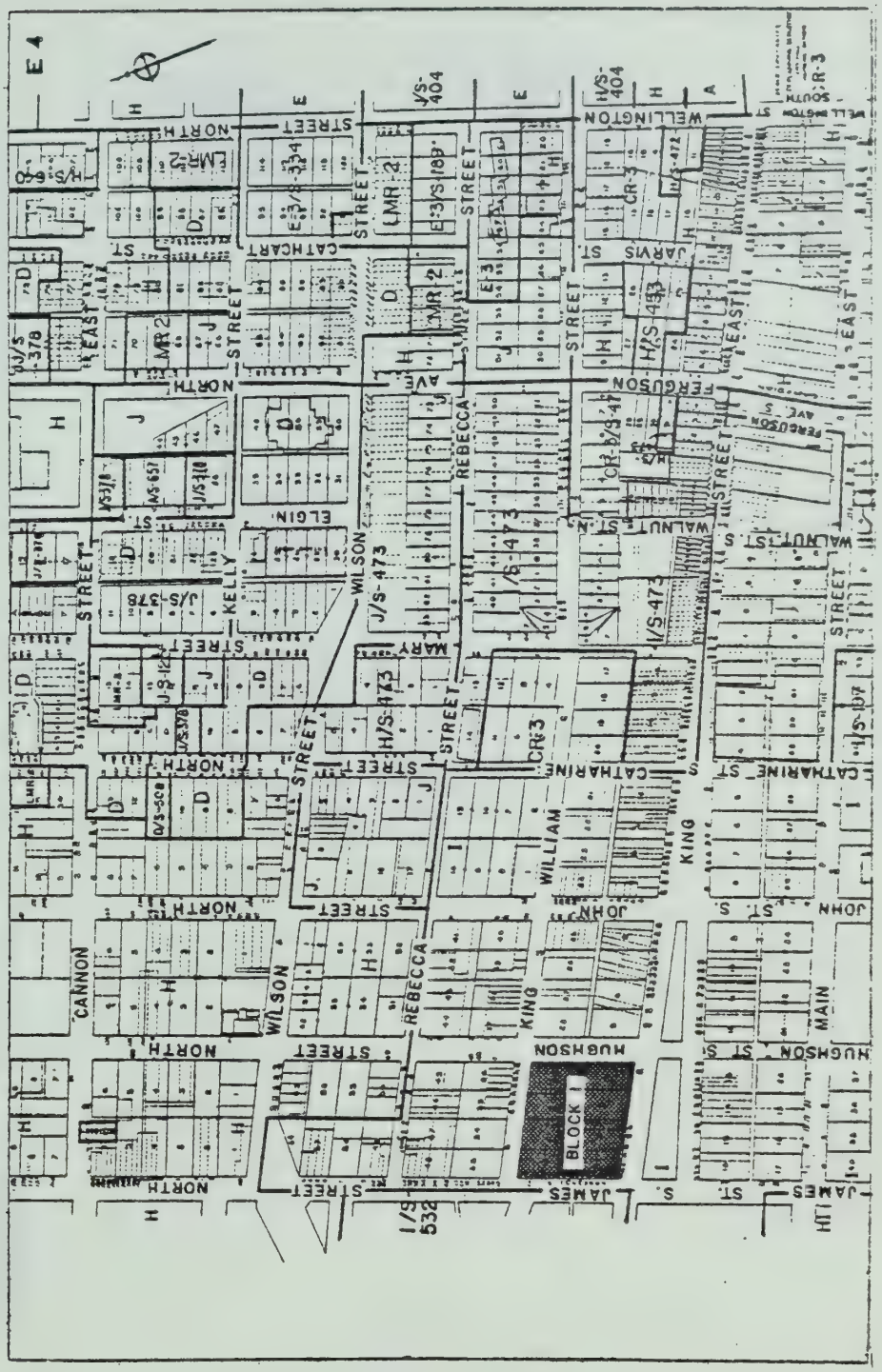
2. (1) Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 33a.

(2) Schedule "A1" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 33b.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1981) 25 R.P.D.C. 6(c), November 10



LEGEND

Lands on Sheet No. E-4 of the Zoning District maps forming part of By-law No. 6593 designated as an area of Site Plan Control pursuant to Section 40 of The Planning Act.

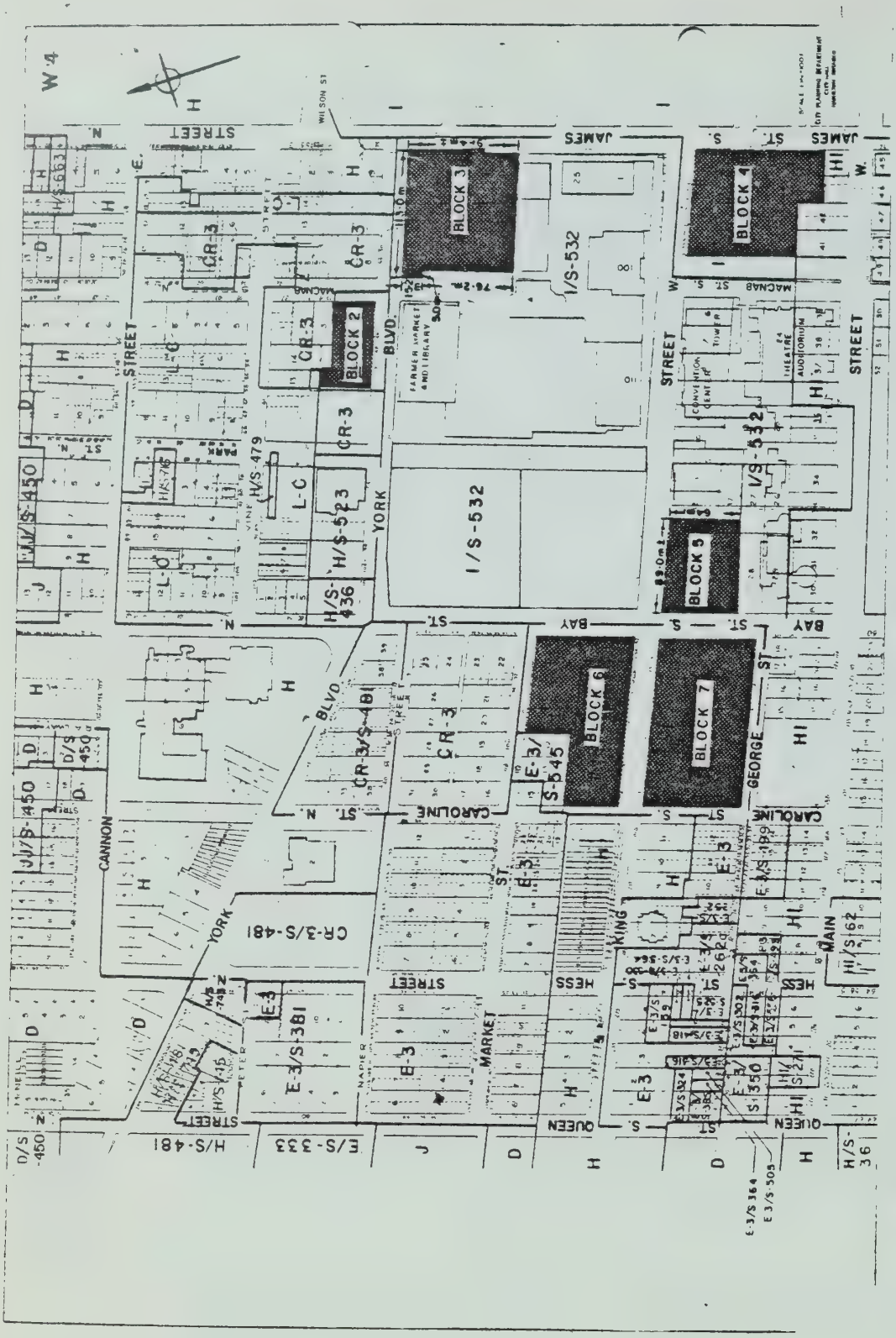
Appendix 33a to By-law No. 79-275.

Bill No. D-31

This is Schedule "A" to By-law No. 84- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk Mayor



Lands on Sheet No. W-4 of the Zoning District maps forming part of By-law No. 6593 designated as an area of Site Plan Control pursuant to Section 40 of The Planning Act.

Appendix 33b to By-law No. 79-275.

Bill No. D-31

This is Schedule "A1" to By-law No. 84- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk Mayor

Bill No. D-39

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 75 QUEENSTON ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.L.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-74 and E-75 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

   (a) by changing from **"C"** (Urban Protected Residential, etc.) district to **"H"** (Community Shopping and Commercial, etc.) district, the land comprised in Block 1, and

   (b) by changing from **"G-3"** (Public Parking Lots) district to **"H"** (Community Shopping and Commercial, etc.) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land shown on schedule "A" as Blocks 1, 2 and 3, are amended to the extent only of the special requirements that,

   (a) no land comprised in Blocks 1, 2, and 3, the extent and boundaries of which are shown on schedule "A", adjacent to Rosewood Road shall be used for egress from and access to Rosewood Road;

   (b) a visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire easterly lot line of the land shown on schedule "A" adjacent to Rosewood Road.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-857".

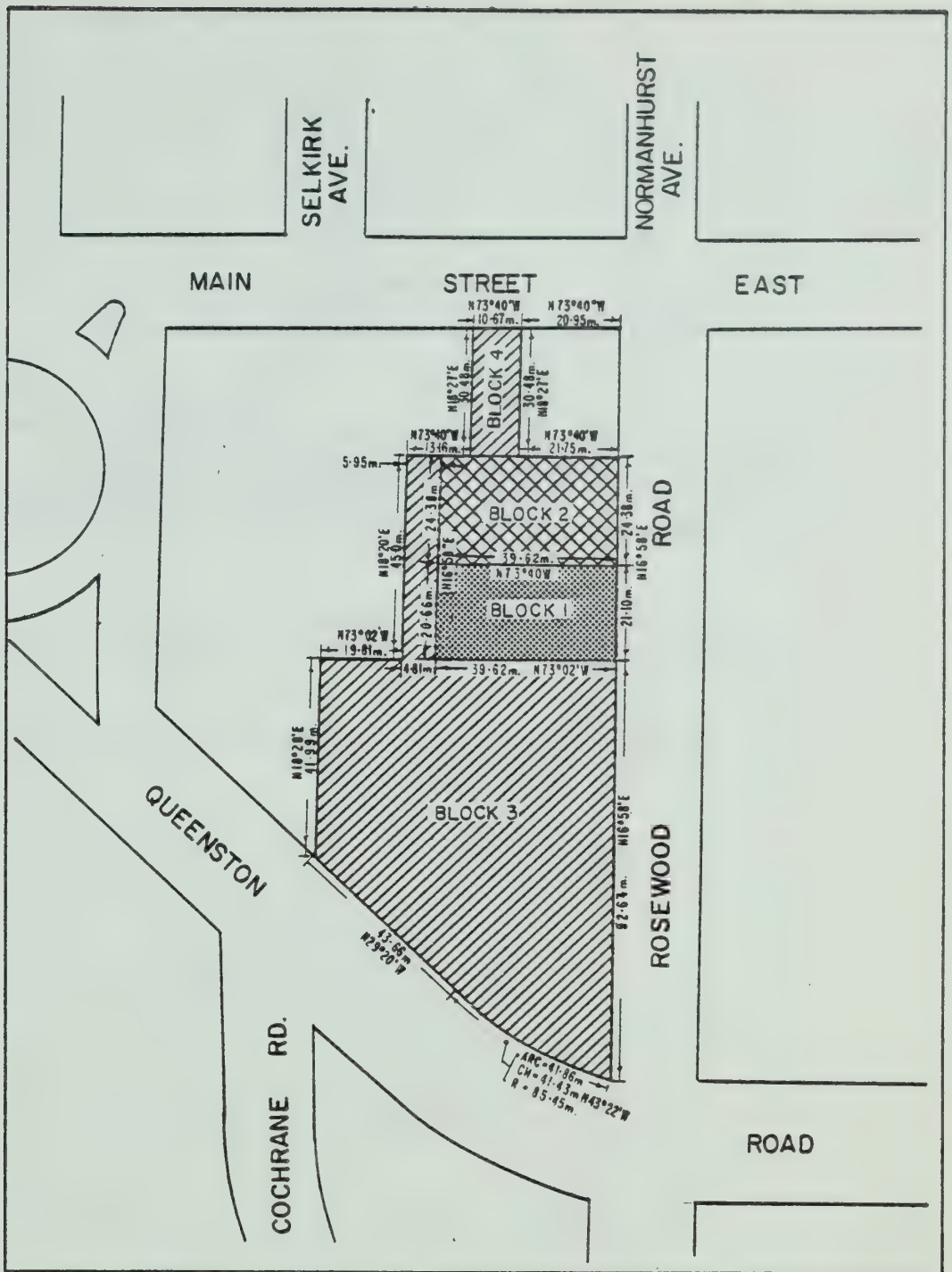
5. Sheets No. E-74 and E-75 of the District Maps are amended by marking the land referred to in section 1 of this by-law, and Block 3, "S-857".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 3 R.P.D.C. 2, February 29
Dominion Stores Limited, Owner
ZA-83-72



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 84-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1 — CHANGE IN ZONING FROM "C" (URBAN PROTECTED RESIDENTIAL ETC.) DISTRICT TO "H" (COMMUNITY SHOPPING AND COMMERCIAL, ETC.) DISTRICT.

BLOCK 2 — CHANGE IN ZONING FROM "G-3" (PUBLIC PARING LOTS) DISTRICT TO "H" (COMMUNITY SHOPPING AND COMMERCIAL, ETC.) DISTRICT.

BLOCKS 1,2,3&4 — LANDS TO BE REGULATED BY BY-LAW NO.84-

North	Scale	Reference File No.
	N. T. S.	ZA 83-72
	Date	Drawing No.
	MAR.12,1984	

Bill No. D-41

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1245 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from **"C"** (Urban Protected Residential, etc.) district to **"HH"** (Restricted Community Shopping and Commercial) district, the land comprised in Block 1,

the extent and boundaries of which Block 1 are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) district provisions applicable to the land referred to in section 1, and Block 2, the extent and boundaries of which are shown on schedule "A" annexed hereto, are amended to the extent only of the special requirements that,

(a) notwithstanding clause 14A(3)(c) of By-law No. 6593, a rear yard having a depth of at least 9.0 metres shall be provided and maintained;

(b) a landscaped area not less than 3.0 metres in width shall be provided and maintained along the easterly boundary line and within the "HH" District;

(c) a visual barrier not less than 1.5 metres and not more than 2.0 metres in height shall be provided and maintained along the easterly boundary line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-856".

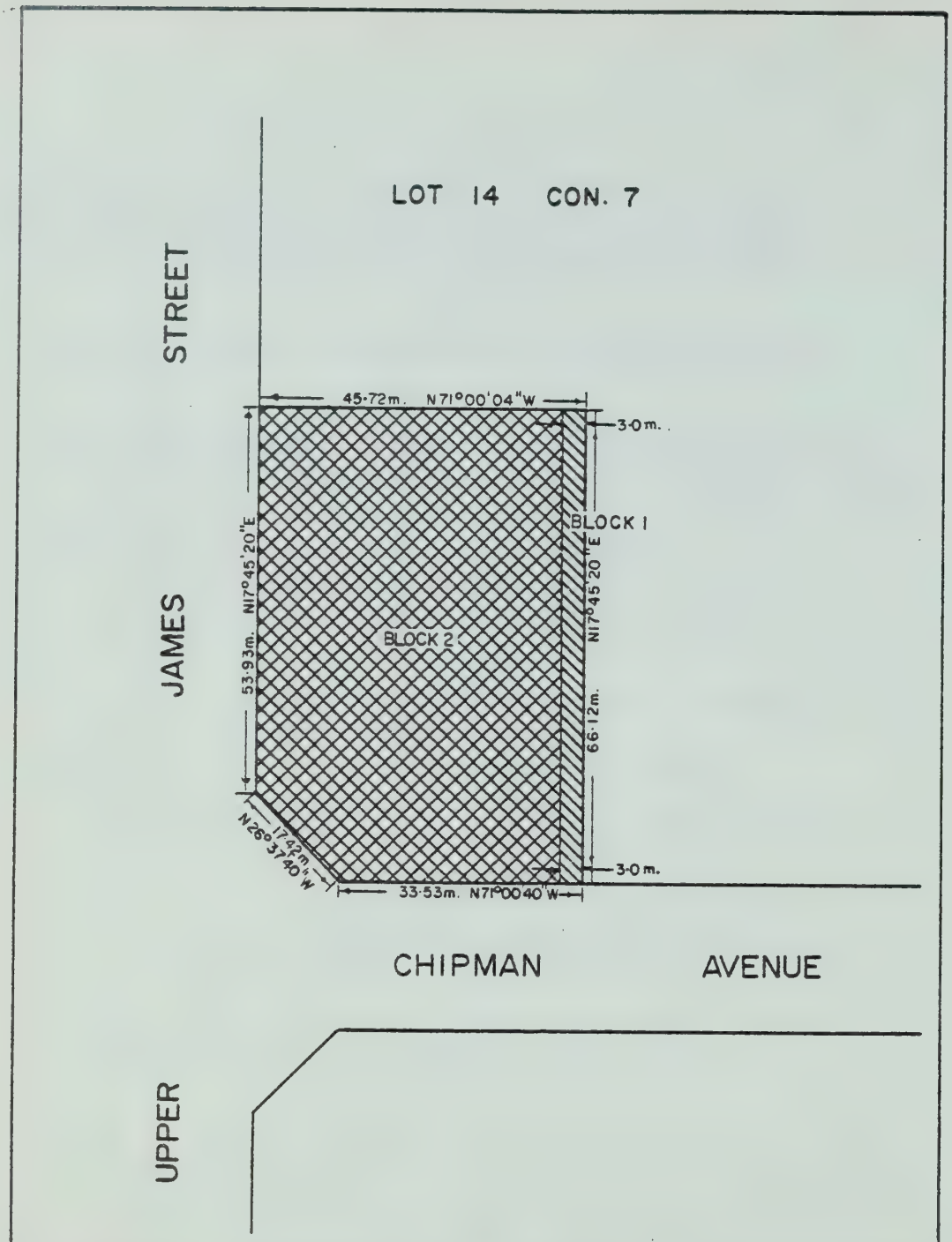
5. Sheet No. E-9B of the District Maps is amended by marking the land referred to in section 2 of this by-law, "S-856".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 3 R.P.D.C. 1, February 29
Woodglen & Co. Ltd., Prospective Owner
ZA-83-74



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 84-
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1 — LANDS TO BE REZONED FROM "C" (URBAN PROTECTED RESIDENTIAL ETC.) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.

BLOCK 1 BLOCK 2 — LANDS TO BE REGULATED BY BY-LAW NO. 84-

North	Scale	Reference File No.
	N. T. S.	ZA83-74
	Date	Drawing No.
	MARCH 1, 1984	

Bill No. D-42

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Repeal:

By-laws No. 75-61 and 75-175

Respecting:

SETBACK OF BUILDINGS BELOW ESCARPMENT

WHEREAS By-law No. 75-61, passed on the 4th day of March, 1975, as amended by By-law No. 75-175, passed on the 24th day of June, 1975, provided for setback of buildings and structures on major streets predominantly located in the Central Area of the City;

AND WHEREAS the proposals respecting setback expressed in the said by-laws were not subject to public review prior to enactment of the by-laws, and no comprehensive study was prepared, nor did the Official Plan provide for such setback proposals;

AND WHEREAS numerous exemptions have been made from the provisions of the said by-laws;

AND WHEREAS the Ontario Municipal Board has not yet approved the said by-laws;

AND WHEREAS the said by-laws, although enacted, because they have not yet been approved are not in force;

AND WHEREAS it is desirable to re-evaluate the setback policy for the Central Area of the City.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 75-61, as amended by By-law No. 75-175, is repealed.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 4 R.P.D.C. 7, March 13
CI-75-B

The Corporation of the City of Hamilton

BY-LAW NO. 84-

TO CHANGE THE NAME OF EDWARD STREET TO SOLIDARNOSC PLACE

WHEREAS section 210, paragraph 105 of The Municipal Act, R.S.O. 1980, Chapter 302 provides that the council of a municipality may pass by-laws for changing names of highways;

AND WHEREAS notice of this by-law was published in The Spectator once a week for four successive weeks prior to the passing of this by-law, as required by the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The name of the street municipally known as Edward Street is hereby changed to Solidarnosc Place, between Barnesdale Avenue and St. Ann Street, more particularly described in Schedule "A" annexed hereto.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 5 R.P.D.C. 8, March 27
City Initiative

SCHEDULE "A"

To

By-law No. 84-

Those certain parcels or tracts of land and premises, situate in the following municipality, namely, in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth in the Province of Ontario and being composed of

Firstly - part of Edward Street (formerly Joseph Street) as changed by City of Hamilton By-Law No. 4530 dated May 30, 1933 and registered in the Land Registry Office for the Registry Division of Wentworth as By-Law No. 1063 and being that portion lying between a straight line joining the southwest corner of Block "B" to the northwest corner of Block "F" and a straight line joining the southeast corner of Block "C" to the northeast corner of Block "E" according to Thomas J. Dowling Survey registered in the said Land Registry Office as Plan No. 434 and,

Secondly - part of Edward Street according to Central Survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 477 and being that portion lying between a straight line joining the southwest corner of lot 307 to the northwest corner of lot 266 and a straight line joining the southeast corner of lot 307 to the northeast corner of lot 266 according to the said Central Survey and,

Thirdly - part of Edward Street according to Central Survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 477 and being that portion lying between a straight line joining the southwest corner of lot 306 to the northwest corner of lot 267 and a straight line joining the southeast corner of lot 287 to the northeast corner of lot 286 according to the said Central Survey.

Bill No. D-44

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 968 MAIN STREET WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 9(1) of By-law No. 6593, the following,

(i) **COMMERCIAL USE** shall be permitted:

1. A chiropractors' office having a gross floor area not greater than 97.5 m^2;

(b) not less than 6 off-street parking spaces shall be provided and maintained on the land;

(c) subclause 18(3)(iv)(ad) of the said by-law shall not apply;

(d) a landscaped area not less than 1.5 metres in width shall be provided and maintained,

(i) on the land abutting Main Street;

(ii) on a portion of the land abutting Paisley Avenue adjacent to the land provided for required parking spaces;

(e) not more than one unlighted business identification sign that is a wall sign that complies with all of the following requirements, shall be permitted:

1. The total aggregate area of the sign shall not exceed 0.2 m^2;

2. The sign shall be affixed to and parallel to the wall to which it is affixed;

3. The sign shall be attached to the wall of the building and as flush with the wall as practicable;

(f) no part of the land adjacent to Main Street shall be used for vehicular egress from and vehicular access to Main Street.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-860".

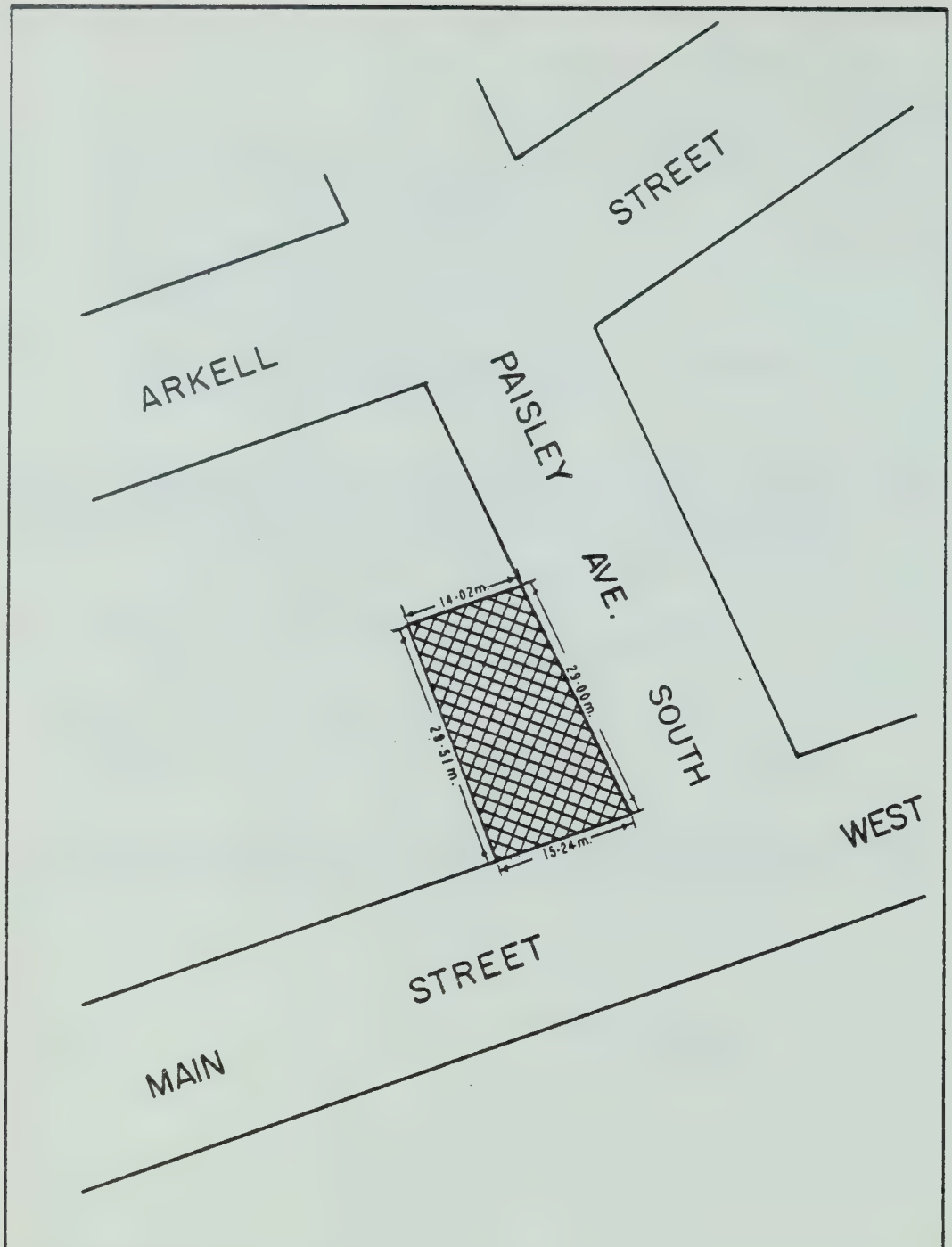
4. Sheet No. W-33 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-860".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 4 R.P.D.C. 2, March 13
Dr. Robert D. Thurlow, Owner
ZA-83-76



THIS IS SCHEDULE "A" TO BY-LAW NO. 84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY - LAW NO. 84-
TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY - LAW NO. 84-

North	Scale	Reference File No.
	N. T. S.	ZA 83-76
	Date MARCH 16, 1984	Drawing No.

Bill No. D-45

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 968 MAIN STREET WEST

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

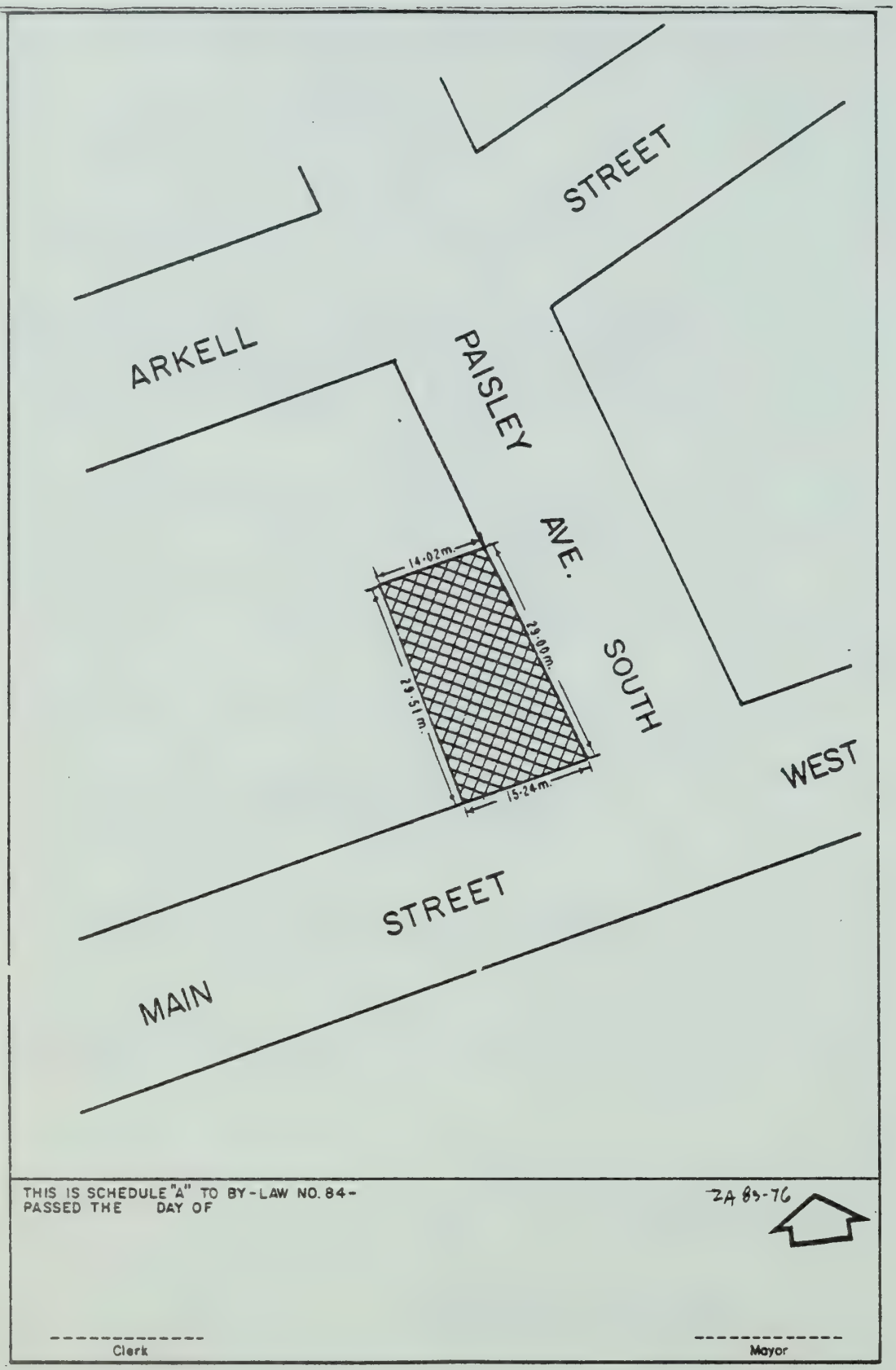
71. Land located at Municipal No. 968 Main Street West, shown on Appendix 71 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 71.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 4 R.P.D.C. 2, March 13
Dr. Robert D. Thurlow, Owner
ZA-83-76



LEGEND

Lands designated under this by-law as an area of Site Plan Control pursuant to Section 40 of The Planning Act.

Appendix "I" to By-law No. 79-275.

Bill No. D-46

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 96 LOCKE STREET SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

   (a) subsection 18(12) of By-law No. 6593 shall not apply.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions subject to the special requirement refered to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-859".

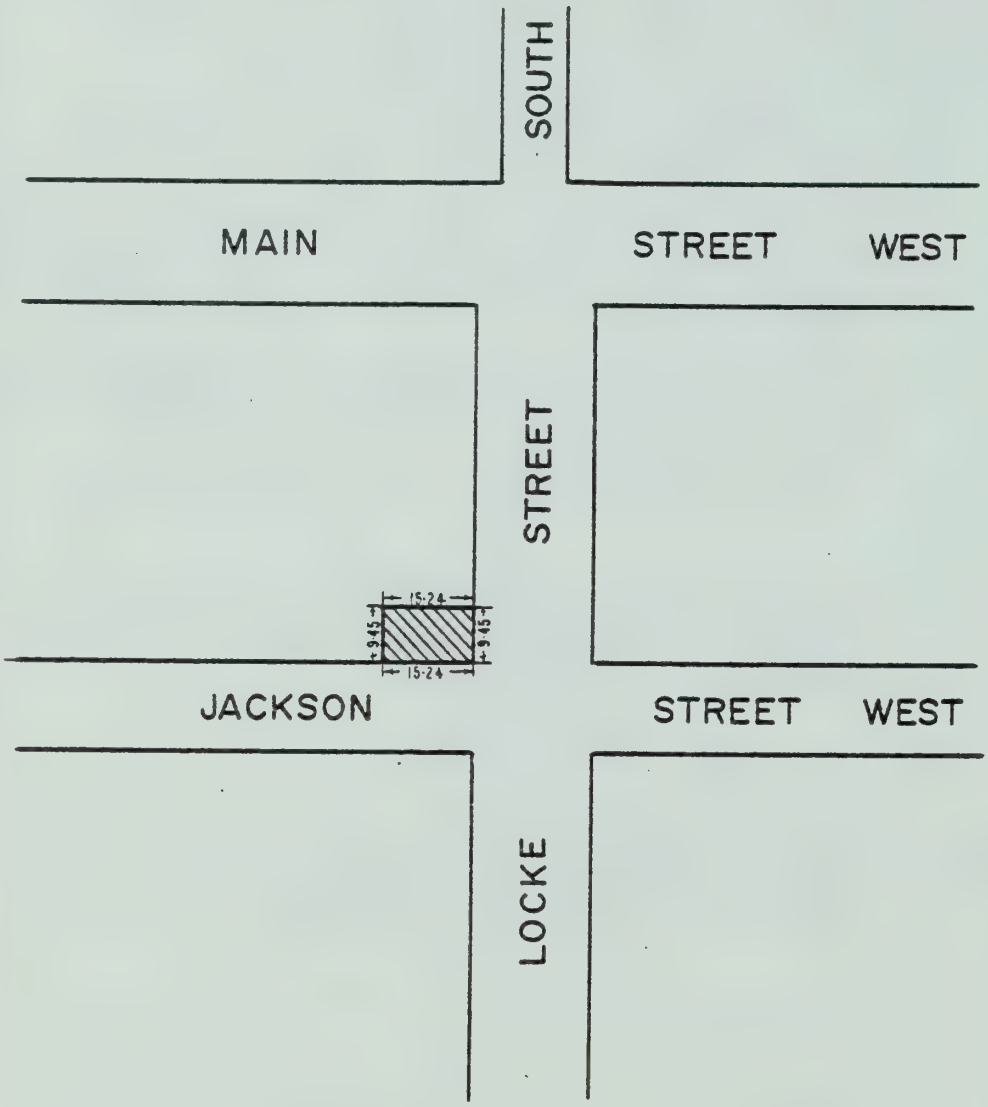
4. Sheet No. W-13 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-859".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 4 R.P.D.C. 1, March 13
P. and S. May and Steven Friedman, Owners
ZA-83-75



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 84-
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY-LAW NO. 84-

North	Scale	Reference File No.
	N. T. S.	ZA 83-75
	Date	Drawing No.
	MAR. 19, 1984	

Bill No. D-47

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 83-226

Respecting:

LAND IN THE HOMESIDE NEIGHBOURHOOD LOCATED AT MUNICIPAL NO. 1388 BARTON STREET EAST

WHEREAS By-law No. 83-226, passed on the 27th day of July, 1983, rezoned lands and established special requirements for land located in the Homeside Neighbourhood, which included land at No. 1388 Barton Street East

AND WHEREAS clause 2(c) of the said by-law rezoned the land at No. 1388 Barton Street East from "H" (Community Shopping and Commercial, etc.) district to "DE" (Low Density Multiple Dwellings) district;

AND WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 83-226 is amended by adding thereto the following:

5a. The "DE" (Low Density Multiple Dwellings) district regulations applicable to the land located at No. 1388 Barton Street East, shown on schedule "A4" are amended to the extent only of the special requirement that,

(a) notwithstanding the provisions of subsection 10A(1) of By-law No. 6593, a hairdressing establishment shall be permitted subject to the provisions of section 14 of By-law No. 6593.

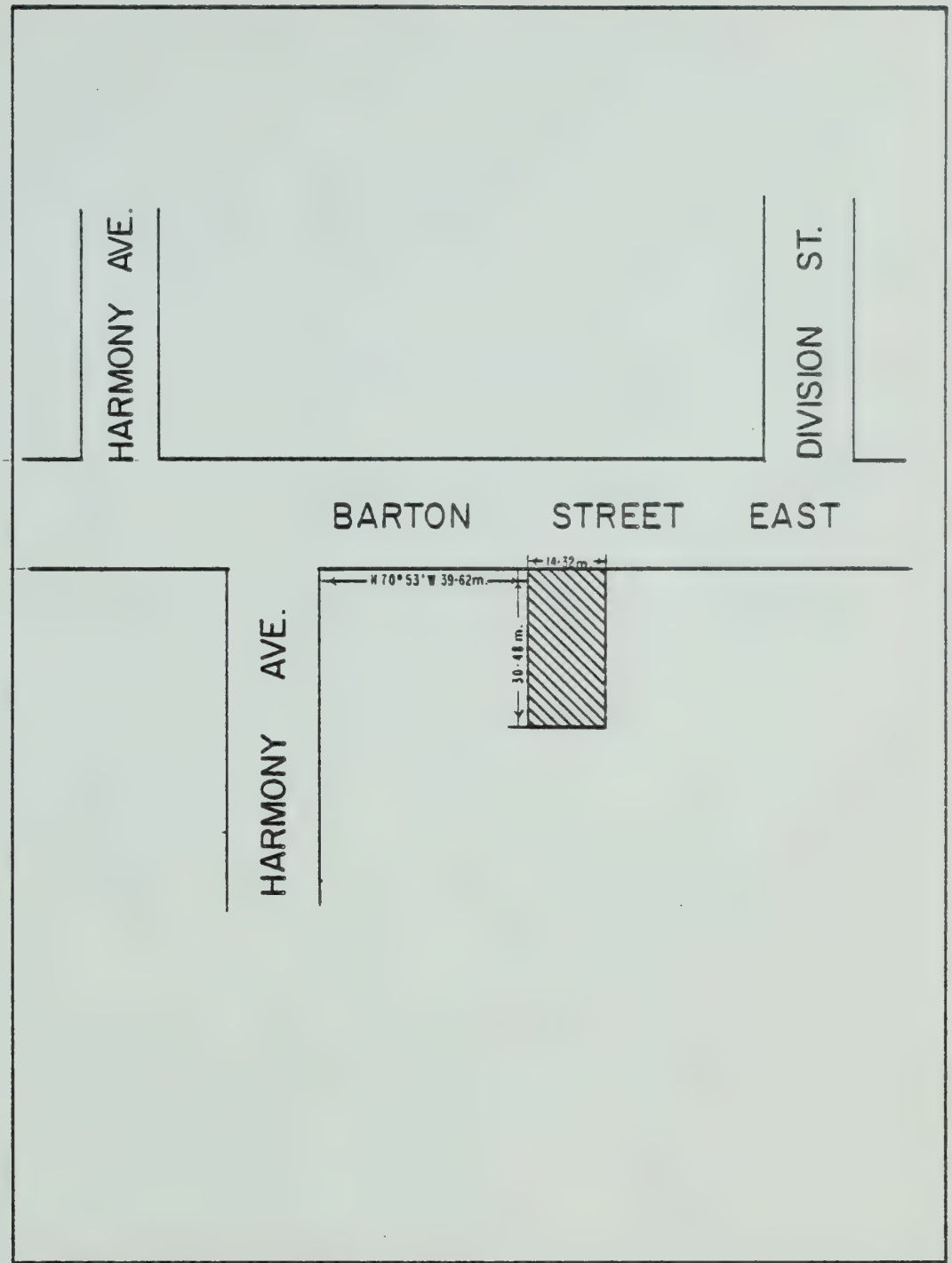
2. By-law No. 6593 is amended by adding this by-law to section 19B as "S-837a".

3. Sheet No. E-63 of the District Maps is amended by marking the land at No. 1388 Barton Street East, "S-837a".

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 6 R.P.D.C. 3, April 10
City Initiative 83-J



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.84-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY-LAW NO.84-

North	Scale	Reference File No.
	1:1000	C.1.83-J
	Date	Drawing No.
	MAR. 29, 1984	

Bill No. D-48

BY-LAW NO. 84 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE Tenth DAY OF April A.D., 1984.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 1984

City Clerk Mayor

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, April 24, 1984
7:30 o'clock p.m.
Council Chambers
City Hall

A G E N D A

1. Prayer

2. Minutes of Previous Meeting held April 10, 1984

3. Reports of Standing Committees - attached

   B Parks and Recreation Committee
   C Finance Committee
   D Planning and Development Committee
   E Legislation Committee
   F Personnel Committee

4. Notices of Motion from previous meeting - attached

   (a) Alderman M. Davison
   (b) Alderman T. Murray

5. First reading of Bills

6. Second reading of Bills - Committee of the Whole

7. Third reading of Bills

8. Question period

9. Adjournment

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SEVENTH** Report for 1984 and respectfully recommends:

1. (a) Approval of the sale of a parcel of land containing approximately 1.319 acres described as Parts 1 and 2 on Reference Plan 62R-7078, to Dundurn Construction Company Limited for the sum of $53,000.00. Closing of this transaction to be on or before August 28, 1984.

   (b) That Dundurn Construction Company Limited be granted permission and approval to include Parts 1 and 2 on Plan 62R-7078 in an application for First Registration in Land Titles, and be provisionally included as part of a draft Plan of Subdivision known as Strawberry Hills.

   (c) That the revenues derived from this sale be credited to Account No.0280-11 "Reserves for Land Conveyed to the City for Public Purposes".

   NOTE: The subject lands lie east of Lake Avenue, approximately 200 feet north of Queenston Road and were part of acreages acquired in the late 1970's for open space and parks and recreational purposes, as well as being available for drainage easements if so needed.

   Both parcels are developable residential table lands that can only be utilized by the abutting owner as part of the Strawberry Hills draft Plan of Subdivision.

   The 5 per cent Cash Payment in Lieu of Dedication of Parkland attributable to the subject lands, when developed for residential uses, has been incorporated as part of the purchase price and has been satisfied in full.

2. Approval of the acquisition of the property at 208 Cope Street from Mary Kalliokoski for the sum of $37,735.00. Offer to be accepted on or before April 30, 1984. Cash on closing of sale, which shall be on or before May 1, 1984.

   NOTE: This property is required for parks and recreational purposes in connection with the development of the Homeside Priority One Park. Sufficient funds are available in Account No.0408-C16096 to provide for this acquisition.

3. (a) That the City of Hamilton agree to renew the lease dated June 8, 1983 with the Executives of the Hamilton-Burlington "Y" Sailing Club, namely, Gerrard J. Lyons, Martin Pearson, Liz Aldrey and Sheila Turcan.

   (b) That the new term commence May 1, 1984 and expire on October 31, 1984 for an annual rental of $150.00.

   (c) That the Mayor and City Clerk be authorized to execute the renewal agreement.

see over/

NOTE: In adopting Item #1 of the Eighth Report of the Parks and Recreation Committee, City Council, on April 29, 1983, approved the lease with the Hamilton-Burlington "Y" Sailing Club for a portion of the Pier 4 Park for a rent of $100.00.

4. (a) That the application by Maranatha Missionary Bible Church to host an outdoor Festival in Gage Park, July 12 - 15 inclusive, between the hours of 7:00 and 10:00 p.m. daily, be approved subject to terms and conditions set down by the Director of Culture and Recreation in keeping with Parks By-law No.77-221.

   (b) That the applicant assume all labour charges incurred as a result of work to be carried out by the Parks Division over and above that normally undertaken by same.

5. (a) That the application by the Toronto Blizzard Incorporated to host a soccer game on Friday, June 15, 1984 between the hours of 8:00 and 11:00 p.m. be approved, at a **total minimum rental of $2,288.00,** subject to the following terms and conditions set down by the Director of Culture and Recreation in accordance with Schedule "B" of the Operational Regulations for use of Ivor Wynne Stadium:

   That the rental fee be: $1,500.00 flat fee for game time

   $190.00 per hour (minimum 4 hours, i.e. practice time, box office, etc.)

   $28.00 Green Room Rental

   (b) That $2,000,000.00 Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as a named insured, be provided.

6. That the rental rates and minimum charges for the use of park facilities for the 1984 season, as set forth in Schedule "A" attached hereto, be approved.

7. Approval of the awarding of the following Contract:

PETER PAPANAUM, O/A 392472 ONTARIO LTD., Hamilton, Ontario

Leasing of Food Service Concession for Rosedale Arena, in accordance with terms and conditions issued by the Director of Purchasing and Vendor's Tender as follows:

Term of Lease	Minimum Monthly Guaranteed	Guaranteed Monthly Payment
May 1, 1984 to April 30, 1987	$500.00	$225.00
City's Option to renew two one-year periods		
May 1, 1987 to April 30, 1988	$500.00	$250.00
May 1, 1988 to April 30, 1989	$500.00	$275.00

NOTE: The best of four (4) tenders

8. (a) That the south leg of King Street East between Catharine Street and John Street remain as a closed local road for the purpose of developing the Gore Park Extension.

   (b) That the Transport and Environment Committee be requested to initiate the necessary action to close the road permanently to through vehicular traffic.

   (c) That the maintenance costs for the area referred to as the Gore Park Extension be provided for in the appropriate department under the jurisdiction of the Parks and Recreation Committee.

9. Approval of the Policy Guidelines for City Sponsored Special Events, as set forth in Schedule "B" attached.

Respectfully submitted

ALDERMAN B. HINKLEY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
JJS:bg
1984 April 12

RENTAL RATES AND MINIMUM CHARGES FOR THE USE OF PARK FACILITIES

A) 1 9 8 4

BERNIE ARBOUR STADIUM/MOHAWK SPORTS COMPLEX		Present '83	Proposed '84	Comments
Adult - Games (Weekends - with lights)		$21/hr or 15%	$22/hr	The percentage rate of gross gate receipts has been deleted since it was not applicable in most cases.
Adult - Games (Holidays - with lights)		$22/hr or 15%	$23/hr	" " " "
		**********		
BRIAN TIMMIS STADIUM				
Semi-Pro - Games	Weekdays	$23/hr or 15%	$24/hr or 15%	
	With Lights	$27/hr or 15%	$28/hr or 15%	
	Weekends	$32/hr or 15%	$34/hr or 15%	
	With Lights	$36/hr or 15%	$38./hr or 15%	
	Holidays	$34/hr or 15%	$36./hr or 15%	
	With Lights	$39/hr or 15%	$41/hr or 15%	
		**********		
DUNDURN PARK - PAVILION				
Park Labour Deposit:- (set-up, clean-up, dismantling)		$106.	$110.	The applicant must assume all responsibility for "actual" labour charges incurred over and above that normally undertaken by the Parks Division
		**********		
GAGE PARK BANDSHELL				
Administrative Fee (including rental & co-ordination of special events)		$27.	$28.	
Park Labour Deposit:- (set-up, clean-up dismantling)		$106.	$110.	The applicant must assume all responsibility for "actual" labour charges incurred over and above that normally undertaken by the Parks Division.

SCHEDULE "A" REFERRED TO IN SECTION 6 OF THE SEVENTH REPORT OF PARKS & REC. COMM.

GLOBE PARK		Present '83	Proposed '84	Comments
Special Events:- (Exlusive Use)	Until 6:00 p.m.	$150.	$155.	
	Until Dusk	$200.	$210.	

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IVOR WYNNE STADIUM				
Professional Sports - Games (exclusive of Ti-Cats)	Weekdays	$91/hr or 15%	negotiable	
	With Lights	$182./hr or 15%	"	
Semi-Pro - Games	Weekdays	$68/hr or 15%	$71/hr or 15%	
	With Lights	$109/hr or 15%	$114/hr or 15%	
	Weekends	$68/hr or 15%	$71/hr or 15%	
	With Lights	$109/hr or 15%	$114/hr or 15%	
	Holidays	$72/hr or 15%	$75/hr or 15%	
	With Lights	$121/hr or 15%	$125/hr or 15%	
Amateur Adult - Games (with ticket sales) Board of Education - Regular Games	Weekdays	$38/hr or 15%	$40/hr	The percentage rate of gross gate receipts has been deleted since it was not collectible in most cases.
	With Lights	$76/hr or 15%	$80/hr	
	Weekends	$40/hr or 15%	$42/hr	
	With Lights	$80/hr or 15%	$84/hr	
	Holidays	$43/hr or 15%	$45/hr	
	With Lights	$84/hr or 15%	$88/hr	
Board of Education - Championships		$51/hr	$54/hr	

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LIGHTING CHARGES:-			
Amateur Adults	Full	$133.	$140.
	Half	$ 69.	$ 72.
	Quarter	$ 37.	$ 38.

IVOR WYNNE STADIUM		Present '83	Proposed '84	Comments
LIGHTING CHARGES - Cont.				
Semi Pro	Full	$159.	$165.	
	Half	$ 80.	$ 84.	
	Quarter	$ 37.	$ 38.	
		**********		
Community Organizations (ticket sales)		$742. min. or 20% of gate receipts	$775.	
Non-Profit Organizations (proceeds - charitable causes)		$2,120.	$2,226.	
GREEN ROOM:-				
Community Organizations (no gate receipts)		$ 27.	$ 28.	

B) NO INCREASE RECOMMENDED IN THE FOLLOWING AREAS

Adult and Minor Sports - Practices
Administrative Fee - Sports Fields
Minor Sports - Games
Adult/Minor - Exhibition Games
H.A.A.A. Grounds/Victoria Park Rates
Sackville Hill Park - no increase until 1984 renovations completed at which time rates will be consistent with those charged at Bernie Arbour Stadium

C) DELETE

Bandshell Clean-up Fee
Elementary School Fee - Ivor Wynne

SUMMARY - All Facilities

Labour charges are "actual" charges over and above that normally undertaken by the Parks Division (set-up, dismantling, clean-up, damages etc.)

POLICY GUIDELINES - CITY SPONSORED SPECIAL EVENTS

1. Insurance Coverage:

   Based on the premise that each organization, and individual representatives of such organization would be well advised to be insured against Public Liability and Property Damage, our proposed recommendation is:

   That upon approval of an event by the Special Events Advisory Committee, the organization be required to provide proof of insurance coverage, the amount of same to be determined in conjunction with the City Clerk as applicable to the event and that, further, as a cost saving measure, such insurance coverage could, where necessary, be arranged by the City Clerk, at the applicants expense.

2. Advertising and Publicity:

   Proposed recommendation: That the Special Events Advisory Committee:

   (a) provide direct funding for publicity and promotion of those events directly sponsored by the City through one or more of its Civic Departments.

   (b) provide, through the City Clerk's Department, an opportunity for those organizers of special events supported financially by the Special Events Advisory Committee, to receive any discounted rates for advertising, available to the City.

   * The above recommendation was approved by the Special Events Advisory Committee at its meeting March 5th, 1984.

3. Disbursement of Approved Funding:

   It is recognized that each organization's requirements may vary.

   Proposed recommendation:

   (a) any funding by the Special Events Advisory Committee not to exceed $10,000. is to be paid to organizer 60 days in advance of events, or upon final approval of the current year's budget, whichever comes later.

   (b) any funding exceeding $10,000. - payment be authorized and disbursed in 2 payments:

      1. - 50% of total grant 60 days prior to event.
      2. - remaining 50% immediately following event.

Note:

1. - Any deviation from the above policy required to accommodate the cash flow needs of an orgainzation can be requested outlining reasons for same and approved by the Director of Culture & Recreation and reported to the appropriate committee.

2. - Financial Statements are required to be submitted within 90 days of the event.

SCHEDULE "B" REFERRED TO IN SECTION 9 OF THE SEVENTH REPORT OF PARKS & REC. COMMITTEE

SPECIAL EVENTS ADVISORY COMMITTEE

User Fees:

Proposed policy: Any extra charges incurred by the City as a result of an approved Special Event must be the responsibility of the organizer.

This would include charges for equipment not already on site, or labour charges by Civic staff directly attributed to the event.

Any approved rental or user fees for use of facilities required in connection with this event, will also be applicable and must be incorporated in the original budget submission.

It is understood, however, that costs could be minimized considerably through the recruitment of volunteer and private sources.

A meeting with appropriate staff will take place well in advance of the event and prior to the grant application being received by the Special Events Committee and will allow the organizer to determine:

(a) equipment and labour required of city forces.
(b) those that can be provided by, and arranged for directly by the organizer.

March 1984

C

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **EIGHTH** Report for 1984 and respectfully recommends:

1. That the City file an objection with the Canadian Radio-Television and Telecommunications Commission (CRTC) with respect to Bell Canada's application for certain rate increases to become effective September 1, 1984 on the basis that the proposed increases are excessive in the area of essential services in comparison to the non-essential services.

   NOTE: The proposed increases vary, but on the average, are less than 4 per cent overall. Bell Canada must comply with Federal price guidelines of an overall 4 per cent increase for Federally regulated industries, which represents an extension of the two year "6 and 5" Restraint Program. Increases in Bell rates over the past two years have been limited to 6 percent, effective September 1, 1982 and 5 per cent, effective September 1, 1983.

   Bell's proposal for increases includes a 6 per cent increase in residence and business primary services, and increases ranging from 1.3 per cent to 7 per cent for long distance service. No increases are proposed for public telephones, which will remain at 25¢ per call.

2. With the adoption of Section 9 of the Tenth Report of the Finance Committee, City Council, at its meeting held May 11, 1983, approved in principle the proposal by the Hamilton Civic Theatre Foundation (later changed to THEATRE 55 FOUNDATION OF HAMILTON INC.) to develop the former Main Library Building and adjacent parking lot as a Civic Theatre. In addition, City Council requested the Foundation to report back to the Finance Committee by November 10, 1983 as to the status of this project.

   With the adoption of Section 3 of the Twentieth Report of the Finance Committee, City Council, at its meeting on November 29/30, 1983, granted an extension to May 31, 1984 for THEATRE 55 FOUNDATION OF HAMILTON INC. to arrange the necessary financing for the theatre proposal for the former Main Library Building and adjacent Parking Lot.

   Representatives of THEATRE 55 FOUNDATION OF HAMILTON INC. appeared before the Finance Committee on April 19, 1984 and advised that a Financial Feasibility Study relative to this project is underway and will be completed by September 1984. The Foundation requested that an extension be granted to October 25, 1984.

   In this regard the Finance Committee respectfully recommends that THEATRE 55 FOUNDATION OF HAMILTON INC. be granted a further extension to October 25, 1984 to report back to the Finance Committee with respect to the results of this study.

3. (a) Approval of a regular audit fee for MacGillivray & Co. for the year 1984 for City-related expenses in the total amount of $55,000.00, which represents an increase of $1,500.00, or 2.8 per cent over the 1983 actual fees.

   (b) Approval of an additional $3,000.00 audit fee for additional audit work required under the Inflation Restraint Board reporting requirement.

4. Section 3 of the Seventh Report of the Planning and Development Committee, adopted by City Council at its meeting on April 10, 1984, deals with implementation of the 2nd, 3rd and 4th Priority Actions (Phases) of the Downtown Hamilton Action Plan, and requests the Finance Committee to recommend the method of financing the cost of the second priority at an estimated gross cost of $1,603,000.00.

   In this regard the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to implement the Downtown Action Plan, Phase II, at an estimated gross cost of $1,603,000.00 by the issuance of debentures in the amount of $1,603,000.00 for a period not to exceed twenty (20) years and further, that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of $1,603,000.00 for a term not to exceed twenty (20) years for this project.

5. (a) Approval of the sale of a surplus parcel of City owned land at 14 Rossmore Avenue, containing approximately 3,854 square feet, to Frank Toth for the sum of $7,000.00;

   (b) That the proceeds of this sale, which is scheduled to close on June 15, 1984, be credited to Account No.0280-02 "Reserve for Property Purchases";

   (c) That the City Solicitor be authorized to apply to the Minister of Municipal Affairs and Housing for approval of this transaction.

6. Settlement of the following claim:

   By County Court Writ issued June 26, 1981, Ted Naskar commenced action against the City and Christopher, Steven and Thomas Tarpos for damages for personal injuries suffered when he fell over an iron grill in a City sidewalk. He claimed $25,000.00 plus lost wages, interest and costs.

   It is recommended that his claim be settled in the amount of $6,250.00 inclusive of interest and costs, with the insurer for Christopher, Steven and Thomas Tarpos paying $3,125.00 and the City paying $3,125.00, inclusive of interest and costs.

7. With the adoption of Section 15 of the Second Report of the Finance Committee, City Council, at its meeting on January 31/February 1, 1984, approved the implementation of a Reduced Bus Fares Programme for the unemployed. The resolution of Regional Council offering this programme to the area municipalities provided for the programme to run for a three month trial period, commencing February 1, 1984, and to be reviewed prior to the termination date, with the intent of continuing the programme.

   In this regard the Finance Committee wishes to report that it has reviewed the programme and respectfully recommends that the programme continue until such time as the Regional Transit Committee receives the Consultants' report on transit fares and makes a decision on same.

   NOTE: For the information of the members of City Council, approximately 1,250 unemployed people are taking advantage of the programme, at a monthly cost to the City of approximately $12,000.00, which is within the budget appropriation for this programme.

8. That persons qualifying for the Unemployed Bus Pass Programme (Group "B") be permitted to purchase regular adult passes and regular tickets at a reduced rate, and that the issuance of a monthly identification card be discontinued.

   NOTE: Implementation of the above will result in unemployed persons being able to use the transit system without being required to disclose the fact that they are unemployed, and there would be no need for the bus driver to question the use of a pass or ticket, which presently occurs.

   This proposal will eliminate the need for the issuance of a monthly identification card (approximately 1,250). Administratively, this will speed up the process of selling passes or tickets, and will do much to eliminate the long line-ups which take place each month.

   The signing of an affidavit will still be required to qualify for this programme.

9. That leave be granted to introduce the following Bills:-

   (a) Bill C-4 — By-law to Fix the Rates of Taxation for Municipal Purposes for the year 1984

   (b) Bill C-5 — By-law to Fix the Rates of Taxation for Regional Purposes for the year 1984

   (c) Bill C-6 — By-law to Fix the Rates of Taxation for School Purposes for the year 1984

   (d) Bill C-7 — By-law to Fix the Total Rates of Taxation for Municipal, Regional and School Purposes for the year 1984

   (e) Bill C-8 — By-law to Levy an Annual Tax on Telegraph and Telephone Companies Doing Business in Ontario

(f) Bill C-9 By-law to Levy the Special Charge for 1984 for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street, Designated by By-law No.82-151

(g) Bill C-10 By-law to Levy a Special Charge respecting the area generally covering Concession Street between East 18th Street and East 25th Street

(h) Bill C-11 By-law to Amend Municipal Tax Levy By-law No.71-69 respecting Interest on Tax Overpayments

Respectfully submitted,

ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE

J. J. Schatz, Secretary
JJS:bg
1984 April 19

D

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To The Council of The Corporation of The City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1984 and respectfully recommends:

1. That approval be given to **Zoning Application 84-08, Maria Kuszla, owner**, to change the zoning for the rear lands of property located at No. 87 Fieldway Drive as shown on the attached plan marked as APPENDIX "A" on the following basis:

   (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

   (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-18 and make application to the Ontario Municipal Board for approval on completion of its requirements by the City Clerk; and

   (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

   Explanatory Note - The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for the rear lands of property located at No. 87 Fieldway Drive to permit the creation of one building lot for a single-family dwelling.

2. That approval be given to **Zoning Application 84-14, Solid Masonry (Hamilton) Ltd., owner**, to establish a modification to the zoning regulations applicable to the property located at Nos. 220 and 230 Hempstead Drive, as shown on the attached plan marked as APPENDIX "B", on the following basis:

   (a) That approval be given to Official Plan Amendment No.18 to establish a site specific text amendment for the subject lands located at Nos. 220 and 230 Hempstead Drive, to permit automobile repair garages, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs and Housing;

   (b) That the "M-14" (Prestige Industrial) District regulations applicable to the subject lands be modified to include the following variance:

      i) That notwithstanding the provisions of subsection (1) of Section 17F of By-law No. 6593, as amended by By-law No. 83-228, automobile repair garages shall be permitted within the existing buildings.

   (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-866, and that the subject land on Zoning District Map E-59D be notated S-866;

   (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D; and

(e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No.18.

Explanatory Note - The purpose of the By-law is to provide for a modification of the "M-14" (Prestige Industrial) District regulations applicable to the lands shown on Zoning District Map E-59D.

The effect of the By-law is to permit, in addition to the other uses allowed in the "M-14" District, automobile repair garages within the existing buildings.

3. (a) That approval be given to **Zoning Applications 84-11 and 84-12, M. Srdic, owner and prospective owner respectively,** for the rear portion of lands located at Nos. 1288 and 1292 Upper Gage Avenue, as shown on the attached plan marked as APPENDIX "C", on the following basis:

   i) that the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

   ii) that the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-38B; and

   iii) that the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

   (b) That the Randall Neighbourhood Plan be amended accordingly.

   (c) That a By-law to amend Zoning By-law No. 6593 not be passed until the owner has conveyed a 3.0 m (10') wide parcel of land adjacent to 1288 Upper Gage Avenue to the Regional Municipality of Hamilton-Wentworth for road widening purposes.

Explanatory Note - The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for the rear lands of property located at Nos. 1288 and 1292 Upper Gage Avenue. The effect of the By-law is to permit the creation of two building lots for single-family dwellings.

4. That approval be given to **Zoning Application 84-15, Benny and Giuliana Cramero, owners,** for change in zoning from "AA" (Agricultural) District to "B" (Suburban Agricultural and Residential, etc.) District for property located at 591 Rymal Road West as shown on the attached plan marked as APPENDIX "D" on the following basis:

   (a) That the subject lands shown as Block 1 and 2 be rezoned from "AA" (Agricultural) District to "B" (Suburban Agricultural and Residential, etc.) District.

   (b) That the "B" (Suburban Agricultural and Residential, etc.) District provisions contained in Zoning By-law No. 6593 applicable to the lands shown as Block 1 be modified on the following basis:

      i) that notwithstanding the provisions of Section 8(3)(ii) of Zoning By-law No. 6593, a minimum easterly side yard of 1.2 m shall be permitted.

(c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-868, and that the subject land on Zoning District Map W-27E be notated S-868.

(d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District.

(e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The By-law provides for a change in zoning from "AA" (Agricultural) District to "B" (Suburban Agricultural and Residential, etc.) District to permit single-family development on property shown as Blocks 1 and 2 located at No. 591 Rymal Road West, as shown on Zoning District Map W-27E.

The By-law also provides for a minor variance to the "B" (Suburban Agricultural and Residential) District provisions applicable to the lands shown as Block 1, to permit a minimum easterly side yard of 1.2 m (3.94') as opposed to 3 m (9.84') as required for the existing dwelling.

5. (a) That approval be given to Official Plan Amendment No.17 to establish a change in land use designation from "Residential" to "Major Institutional" for lands located in the area on the north side of King Street East and east of Nash Road as shown on the attached plan marked as APPENDIX "E" to permit an Ambulatory Care Facility; and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Minister of Municipal Affairs and Housing.

(b) That approval be given to **Zoning Application 84-07, The Sisters of St. Joseph of the Diocese of Hamilton,** prospective owner, to establish modifications to the "AA" (Agricultural) District regulations applicable to the lands on the north side of King Street East and east of Nash Road as shown on the attached plan marked as APPENDIX "E" on the following basis:

i) That the "AA" (Agricultural) District provisions of By-law No. 6593 applicable to the subject lands be modified to include the following variances.

a) that notwithstanding clause (a) of subsection (iii) of Section 8, no sleeping accommodation will be required.

b) that notwithstanding clause (d) of subsection (iii) of Section 8, a minimum yard of 18.3 m (60') shall be provided along the westerly lot line of the lands shown, extending 155.10 m (508.86') to the north from the King Street East road allowance.

ii) That notwithstanding Section 4(3)(a) of By-law 6593, the existing dwellings located on the property at the time of the passing of the By-law shall be permitted.

iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-867 and that the subject land on Zoning District Map E-106 be notated S-867.

iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-106.

v) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No.17.

vi) That the Greenford Neighbourhood Plan be amended accordingly.

(c) That By-law No. 79-275 be amended to establish Site Plan Control on the subject lands.

Explanatory Note - The purpose of the by-law is to provide for a modification to the "AA" (Agricultural) District provisions applicable to the lands on the north side of King Street East and east of Nash Road, as shown on Zoning District Map E-106, to permit variances to accommodate a Public Hospital (Ambulatory Care Facility), which is a permitted use in the "AA" (Agricultural) District, as follows:

(a) no sleeping accommodation will be required.

(b) a westerly yard of 18.3 m (60') shall be provided from the King Street East road allowance extending 155.10 m (508.68') to the north.

In addition the proposed development will require an amendment to the Official Plan for the Hamilton Planning Area to redesignate these lands from "Residential" to "Major Institutional". Also, the development of the property will be subject to Site Plan Control.

6. (a) That approval be given to **Zoning Application 83-69, Seebeck Construction Co., Ltd., and Robert Shelley Construction Ltd., owners,** to establish a change in zoning for lands located in the area east of Upper Paradise Road and north of Gemini Drive, shown on the attached plan marked as APPENDIX "F", on the following basis:

i) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

ii) That the lands described as Block 2 be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "R-4" (Small Lot Single-Family Detached) District;

iii) That the lands described as Block 3 be rezoned from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District;

iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps W-27C and W-27D;

v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and

vi) That the Gilkson Neighbourhood Plan be amended accordingly.

Explanatory Note - The By-law provides for a change in zoning for property located in the area east of Upper Paradise Road and north of Gemini Drive, as shown on Zoning District Maps W-27C and W-27D from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District and "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, and from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "R-4" (Small Lot Single-Family Detached) District to permit single-family development and "small lot" single-family development.

7. That approval be given to **City Initiative 83-J** to amend zoning By-law No. 6593, as amended by By-law No. 83-226, to establish a change in zoning from "DE" (Low Density Multiple Dwellings) District to "H" (Com ıunity Shopping & Commercial etc.) District for property located at No. 1530 Barton Street East, as shown on the attached plan marked as APPENDIX "G", on the following basis:

   (a) That the subject land be rezoned from "DE" (Low Density Multiple Dwellings) District to "H" (Community Shopping & Commercial etc.) District.

   (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593, as amended by By-law 83-226 and Zoning District Map E-63, and make application to the Ontario Municipal Board for approval without the requirement for circularization.

   (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

   Explanatory Note - The purpose of the By-law is to provide for a change in zoning from "DE" (Low Density Multiple Dwellings) District to "H" (Community Shopping and Commercial etc.) District for property located at No. 1530 Barton Street East, as shown on Zoning District Map E-63.

   The effect of the By-law is to recognize the existing commercial use of the subject lands, and re-establish the original "H" District zoning which was inadvertently changed to a "DE" District by By-law No. 83-226 (awaiting O.M.B. approval) which was intended to implement the Homeside Neighbourhood Plan.

8. (a) That **Zoning Application 84-18, Helen Cappadocia, prosective owner,** requesting a modification to the "C" (Urban Protected Residential, etc.) District regulations, to permit the creation of five condominium single-family dwelling building lots on property located at No. 27 Mountain Avenue, notwithstanding that three of the proposed lots do not abut upon a public highway, be denied for the following reasons:

      i) The proposal would not be in character with the established surrounding land use pattern; and

      ii) Approval of the application may set an undesirable precedent for future similar applications in the area.

   (b) That approval be given to amended **Zoning Application 84-18, Helen Cappadocia, prospective owner,** to establish a modification to the "C" (Urban Protected Residential, etc.) District regulations for property located at No. 27 Mountain Avenue, shown as Block "1" on the attached plan marked as APPENDIX "H" on the following basis:

i) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593 be modified to include the following variance as a special requirement:

a. That notwithstanding the provisions of subsection (4) INTENSITY OF USE of SECTION NINE - "C" DISTRICTS of Zoning By-law No. 6593 the minimun lot width shall be 9.40 m.

ii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-869, and that the subject lands on Zoning District Map W-14 be notated S-869.

iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14.

iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the By-law is to provide a modification to the "C" (Urban Protected Residential, etc.) District provisions applicable to the lands shown as Block "1" on the attached map marked as APPENDIX "H", by reducing the minimum lot width requirement from 12.0 m (39.37') to 9.44 m (31.0').

The effect of the By-law is to permit the creation of three (3) single-family dwelling building lots shown as Blocks 1 and 2.

9. (a) That approval be given to Official Plan Amendment No. 15 (Attached APPENDIX "I") to provide for the incorporation of a number of new policies required as a result of the new Planning Act; and

(b) That the City Solicitor be directed to prepare the appropriate by-law of adoption for consideration at the next Council meeting.

Explanatory Note - The new Planning Act requires that if a municipality wishes to utilize certain provisions under the Act, then appropriate policies must be incorporated into the Official Plan. Accordingly, an Official Plan Amendment (Attached APPENDIX "I") has been prepared, recognizing a number of these provisions in the Official Plan.

10. That approval be given of the site plan as revised in red, prepared by A.J. Clarke and Ass., O.L.S., dated October 31, 1983, to comply with a condition of draft plan approval of condominium, under file No. SA-81-09, Regional File No. 25CDM-81001, "Sherwood Heights Place".

11. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

554-558 Burlington Street East
224 Cope Street
40 Allan Avenue
199 Tragina Avenue North
217 Tragina Avenue North
208 Cope Street

12. That the Offer by 365047 Ontario Limited to purchase the City lands at the south east corner of Burlington Street East and James Street North for the price of $55,000. not be approved.

13. That approval be given for the sale of a vacant parcel of land at the south-east corner of Burlington and James Streets measuring 137.79 feet (41.99 m) by 81.25 feet (24.76 m), containing 11,192 sq. ft. (1039 m^2) to Raj and Halima Hansraj in the total amount of $70,000. This offer was duly executed on April 10, 1984 and is scheduled to close on March 29, 1985.

    The closing of this transaction is conditional upon the following conditions being fulfilled prior to the said closing date. These conditions are for the benefit of The Corporation of the City of Hamilton and the Purchaser and cannot therefore be waived except upon their mutual agreement.

    (a) The said lands shall be rezoned to "H" Commercial at the City's sole expense, and such zoning shall be subject to the approval of the Ontario Municipal Board.

    (b) The closing of this transaction is subject to the approval of the Minister of Housing, and, Canada Mortgage and Housing Corporation.

    In the event that conditions (a) and (b) of paragraph 8 herein are not fulfilled on or before the date of closing as determined in accordance with this agreement, it is understood and agreed that this agreement shall become null and void and the deposit will be refunded by the Vendor without interest, forthwith. In this event the Purchaser agrees to execute an immediate release in respect of said agreement in a form satisfactory to the City Solicitor.

14. That the following list of applicants be submitted to City Council for approval authorizing the Department of Community Development to process grants and/or loans in an amount not to exceed $7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.).

    That the officials of the Corporation involved in these Programmes be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme.

    B. Higgins
    207 East 21st Street

    S. Avery
    94 Salem Avenue

    C. Hobbs
    111 Reid Avenue North

    D. McGregor
    212 East 21st Street

    V. Smith
    154 Edgemont Street North

    L. McGill
    338 East 32nd Street

    W. Mokrycke
    143 Park Row North

    M. Goral
    69 Connaught Avenue North

    F. Fiorentino
    50 Rosemont Avenue

15. That the City of Hamilton support the application of Mr. G. Zolis, 130 Queenston Road for an interest free loan under the Provincial Government's Convert-To-Rent Programme.

16. (a) THAT, the Provincial/Municipal Implementation Agreement (O.N.I.P.), dated 1984 February 14, be executed in accordance with the prior approval of City Council 1983 July 07 (APPENDIX "N", Section 25., The SIXTEENTH Report for 1983 of The Planning and Development Committee); and,

(b) THAT, nevertheless, the Planning and Development Committee communicate, to The Minister of Municipal Affairs and Housing, objection to the unilateral decision, by the Province of Ontario, to amend the cost-sharing Agreement so as to require the erection of " a Project sign in a conspicuous and visually unobstructed location within the Project area." and, further, that individual municipalities be afforded the opportunity to develop their own means by which the assistance of other levels of government may be recognized and acknowledged.

Explanatory Note - For the information of the Members of City Council, it has always been the practice, in the City of Hamilton, to post facilities such as new parks and playgrounds, with signs acknowledging the contribution of other levels of government, where applicable. The new Provincial requirement - fifty percent (50%) of the cost of which is to be also borne by The City - is a return to the earlier method of "labelling" entire neighbourhoods as redevelopment areas which, while in the least, a questionable practice, is in fact a far less positive and lasting acknowledgement than that realized under our current procedures.

17. WHEREAS, at its meeting held 1983 December 16, City Council in adopting Section 1, The TWENTY-SIXTH Report for 1983 of The Planning and Development Committee, approved...

> "That the firm of Roger du Toit Associates Limited be hired on a contract basis to complete implementation of the remaining elements and construction priorities of the Downtown Action Plan at a fee to be agreed upon through contractual arrangements."; and

WHEREAS, by letter dated 1984 January 18, Mr. Roger du Toit, du Toit Associates Ltd. did provide this Committee with a proposed work schedule/terms-of-reference providing for charges to The Corporation based upon both per-diem rates and a fixed fee; and,

WHEREAS, This Committee has reviewed the proposal by du Toit Associates, Ltd., to which reference is made in the preceding recital, taking into consideration:

(a) The current degree of completion of the 1st-Priority-Actions (Phase I) of the Downtown Hamilton Action Plan;

(b) The design, by Moorhead Fleming Corban McCarthy, Landscape Architects, of Gore Park; the "Gore Extension"; and, the "Streetscape Development" for the area of 1st Priority Actions (Phase I) - thereby fulfilling the demand/requirement for specialized design expertise in this Area;

(c) The type, and scope of work to be undertaken in the 2nd, through 4th Priority - Action Areas (i.e., replacement of sidewalks and light standards in 2nd Priority - Areas only, placement of benches, banners, waste receptacles, bicycle stands, etc., in all Areas); and,

(d) That notwithstanding any proposed involvement, by this firm, contract preparation and construction supervision, the type and scope of work would still, nevertheless, require the extensive involvement of both City, and Regional technical staff and/or other consultants at additional costs.

NOW THEREFORE IT IS RECOMMENDED:

(a) THAT, the firm of du Toit Associates, Ltd. be retained on a per diem basis to review, and advise in regard to design and contract documents on the 2nd, 3rd, and 4th "Priority Actions" - or Phases - as developed from the "Downtown Hamilton Action Plan, du Toit Associates Ltd. January 1983";

(b) THAT, in carrying out their review the firm of du Toit Associates, Ltd., will also review the "Downtown Hamilton Action Plan" to assess and determine its continuing validity and, further, in doing so shall have consideration for the design of Gore Park; the Gore Extension; and, those features of the 1st Priority Actions already completed and/or designed/constructed under the supervision of the firm of Moorhead Fleming Corban McCarthy;

(c) THAT, the firm of du Toit Associates, Ltd., liaise with, the Downtown Action Plan Co-ordinating Committee (DAP-Comm); and report through the Planning and Development Committee;

(d) THAT, an Agreement, satisfactory to the City Solicitor, be prepared for the retention of the firm of du Toit Associates, Ltd., in accordance with the general terms-of-reference described in (a) through (c) above; and,

(e) THAT, the Mayor and City Clerk be hereby authorized to execute the Agreement to which reference is made in (d) above.

Explanatory Note - For the information of the Members of City Council, the preceding recommendation is further to, and in refinement of Section 1., The TWENTY-SIXTH Report for 1983 of The Planning and Development Committee, adopted by City Council at its meeting held 1983 December 16 for, as the Council is aware, the firm of Moorhead Fleming Corban McCarthy, in addition to designing the new Gore Park, has also undertaken the design of the "Gore Extension" and, have provided design expertise in making recommendations regarding the "Streetscape Development" (e.g., trees, planters, benches, waste receptacles, bicycle stands, etc.) for the 1st Priority Area of the Downtown Hamilton Action Plan (i.e. James to Mary Street).

Consequently, it is concluded that the services of du Toit Associates, Ltd. will be utilized for the 2nd, 3rd and 4th Priority Action Areas - or Phases - and, in each of those Areas/Phases, as determined by the Downtown Action Plan Co-ordinating Committee to provide expert opinion or urban design features (e.g., benches, light standards, pavers, etc.) with contract preparation and construction supervision being undertaken by Municipal staff and/or consultants.

18 That leave be granted to introduce the following bills:

Bill D-49 By-law to amend Property Standards By-law No. 74-74 Respecting Fees.

Bill D-50 By-law to Amend Building Code By-law No. 76-119 Respecting Fees.

Bill D-51 By-law to Amend By-law No. 84-14 Respecting Tariff of Fees.

Bill D-52 By-law to Repeal By-law No. 83-70 Respecting land located at municipal no. 564 Woodward Avenue.

Bill D-53 By-law to Amend Zoning By-law No. 83-240 Respecting:

Land located on the north side of Land Street between Wentworth Street North and Niagara Street (Block 3).

Land located on the north side of Burlington Street between Wilfred Street and Wentworth Street North (Block 4)

Bill D-54 By-law to Repeal Zoning By-law No. 83-313 Respecting land located at the Wellington Street Marine Terminal.

Bill D-55 By-law to Amend Zoning By-law No. 6593 Respecting land located at municipal nos. 126 to 132 Cathcart Street.

Bill D-56 By-law to Establish Site Plan Control Respecting land located at municipal nos. 126 to 132 Cathcart Street.

Bill D-57 By-law to amend Zoning By-law No. 75-178 Respecting land located at the south-east corner of Upper Ottawa Street and Larch Street.

Bill D-58 By-law to Amend Zoning By-law No. 6593 Respecting land located in the area east of Upper Sherman Avenue and south of the proposed Mountain Freeway.

Bill D-59 By-law to Amend Zoning By-law No. 6593 Respecting land located at municipal nos. 41 and 45 Cathcart Street.

Bill D-60 By-law to Establish Site Plan Control Respecting land located at municipal nos. 41 and 45 Cathcart Street.

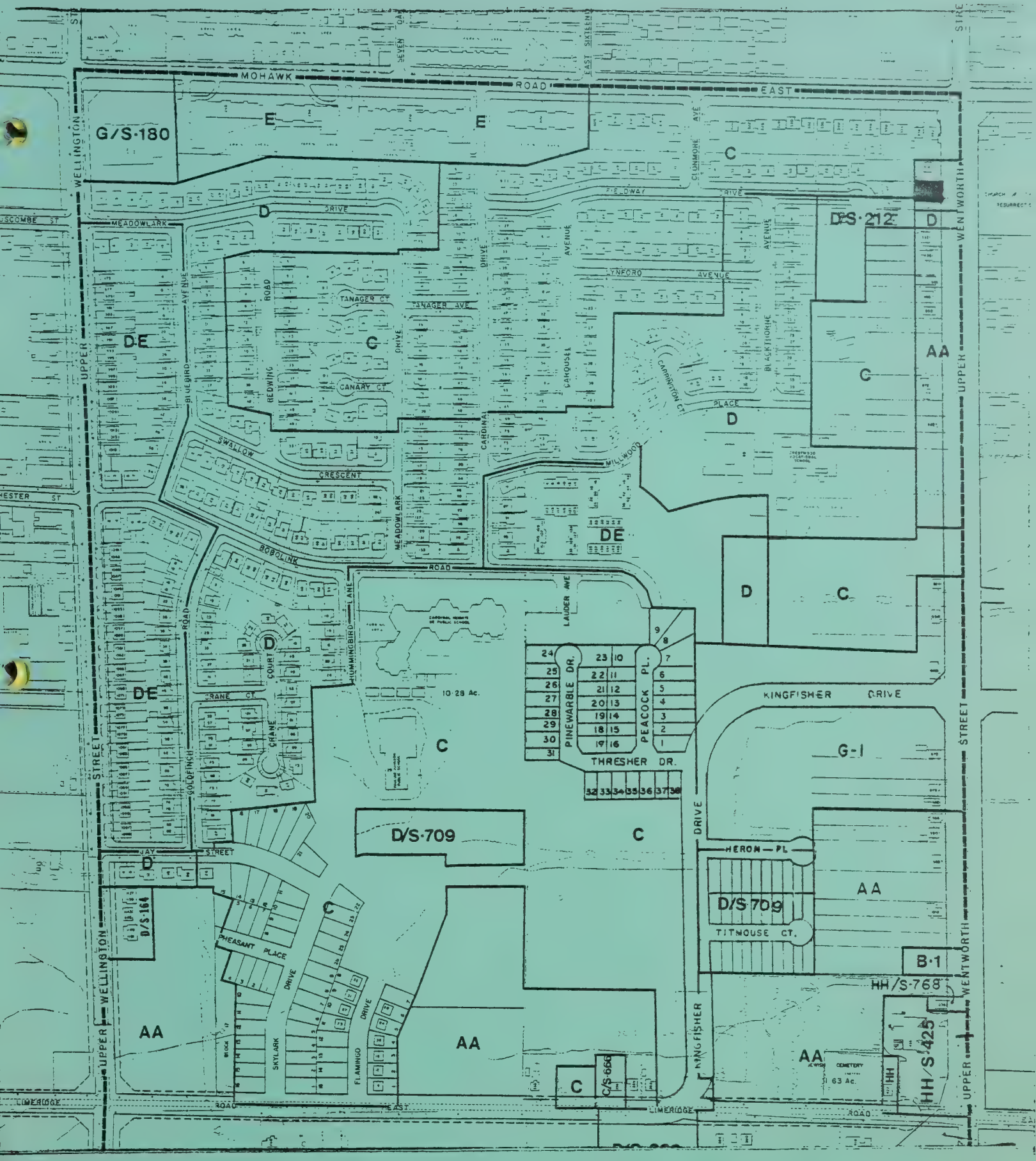
Bill D-61 By-law to adopt Official Plan Amendment No. 15 Respecting new policies in the Official Plan under the new Planning Act, 1983.

Bill D-62 By-law to Confirm Proceedings of the Council of The Corporation of The City of Hamilton.

Respectfully submitted,

Alderman W. McCulloch

JDT/sma

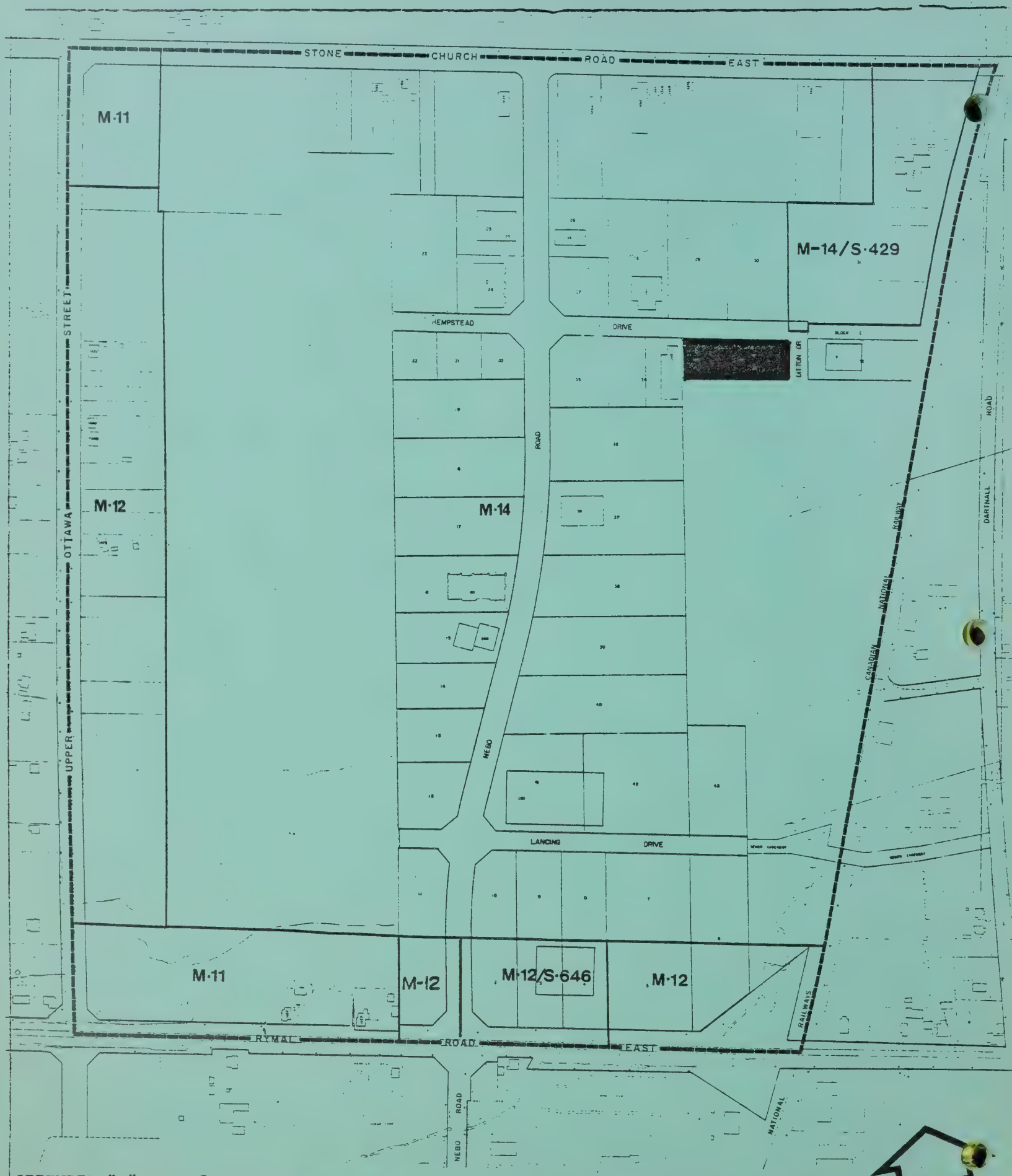


APPENDIX "A" as referred to in Item 1 of the Eighth Report of the Planning & Development Committee.

SITE OF THE APPLICATION

2484-08

A

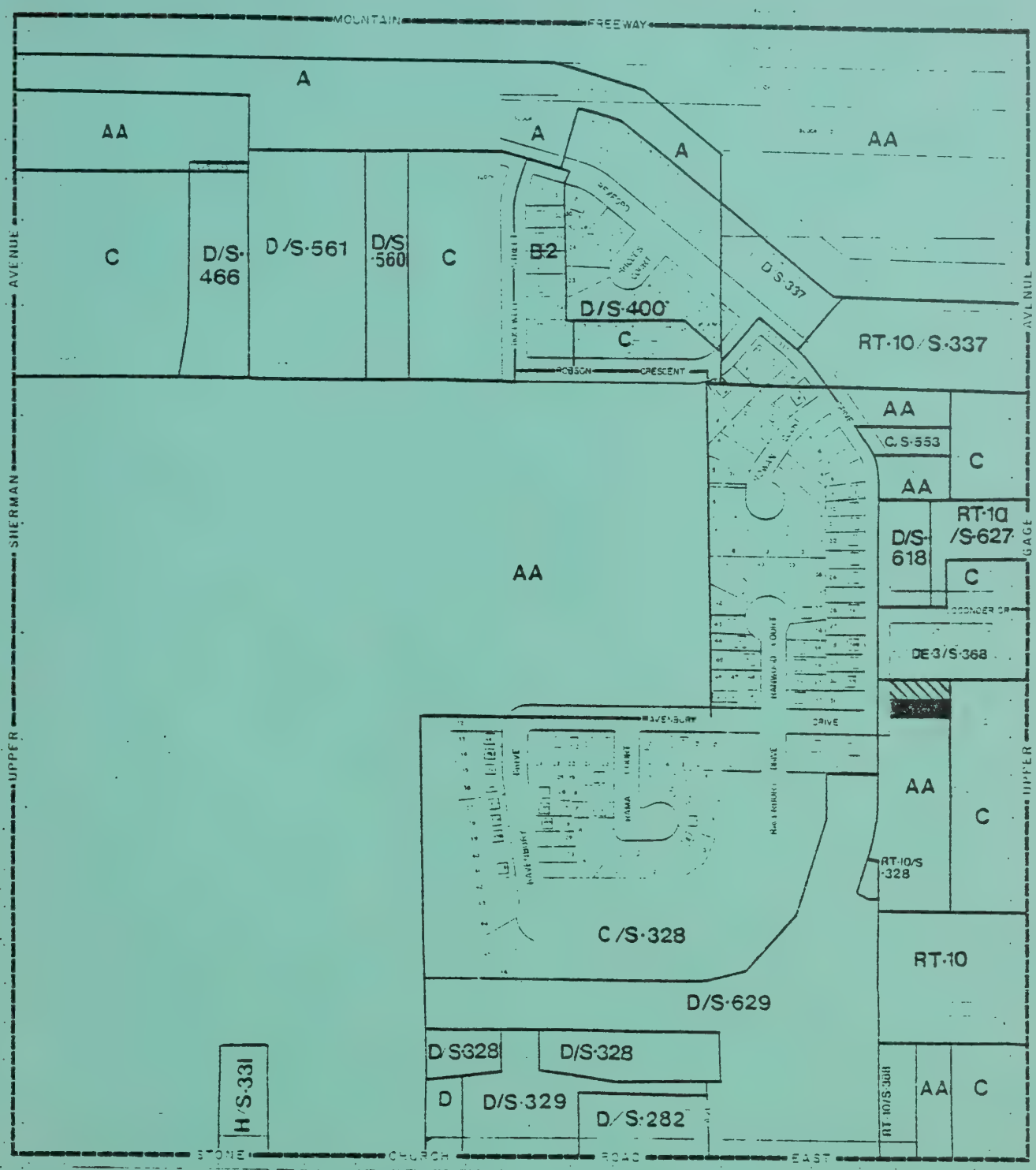


APPENDIX "B" as referred to in Item 2 of the Eighth Report of the Planning and Development Committee.

SITE OF THE APPLICATION

ZA 84-14

B

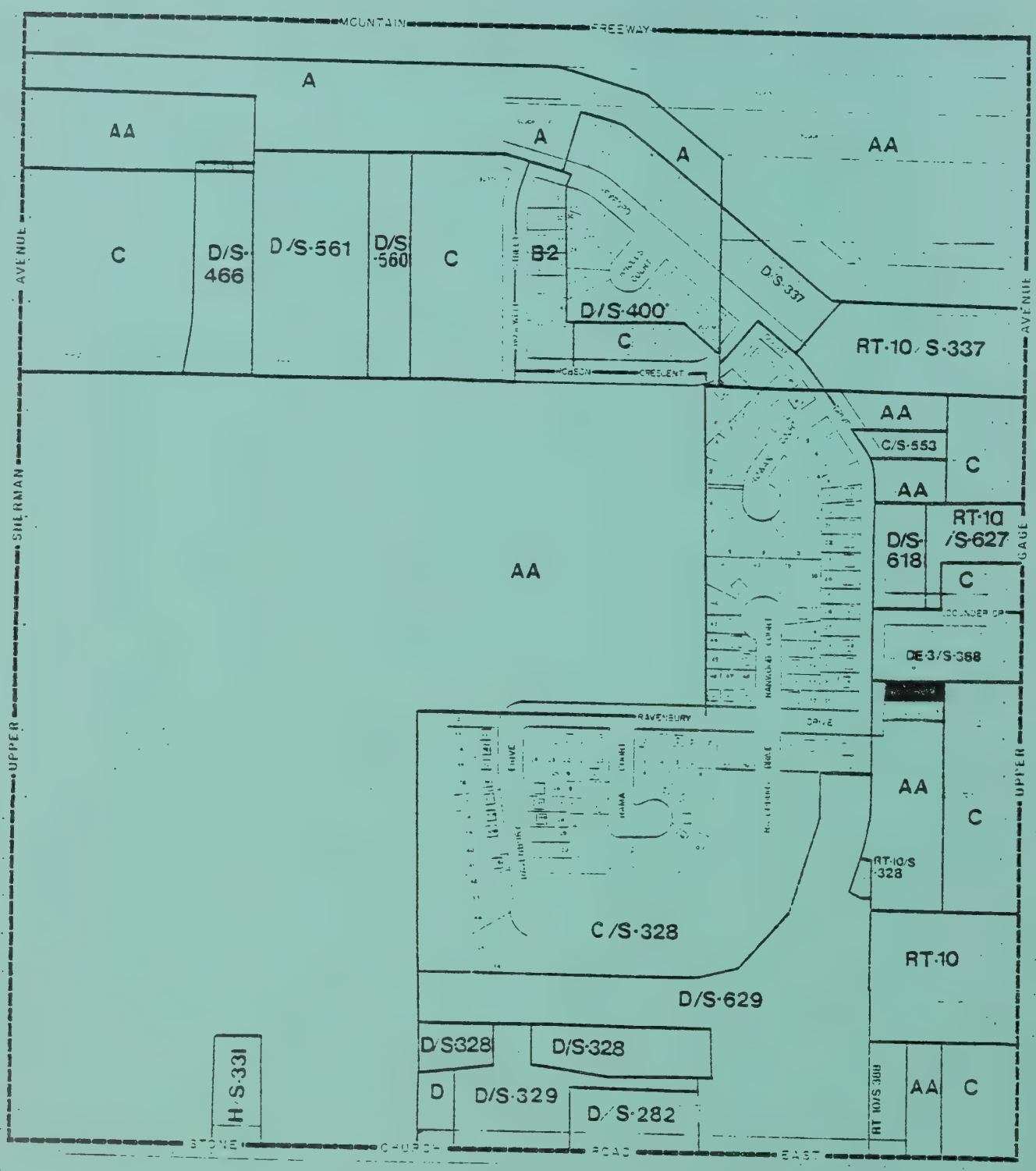


APPENDIX "C" as referred to in Item 3 of the Eighth Report of the Planning and Development Committee.

LEGEND.

SITE OF THE APPLICATIONS

C



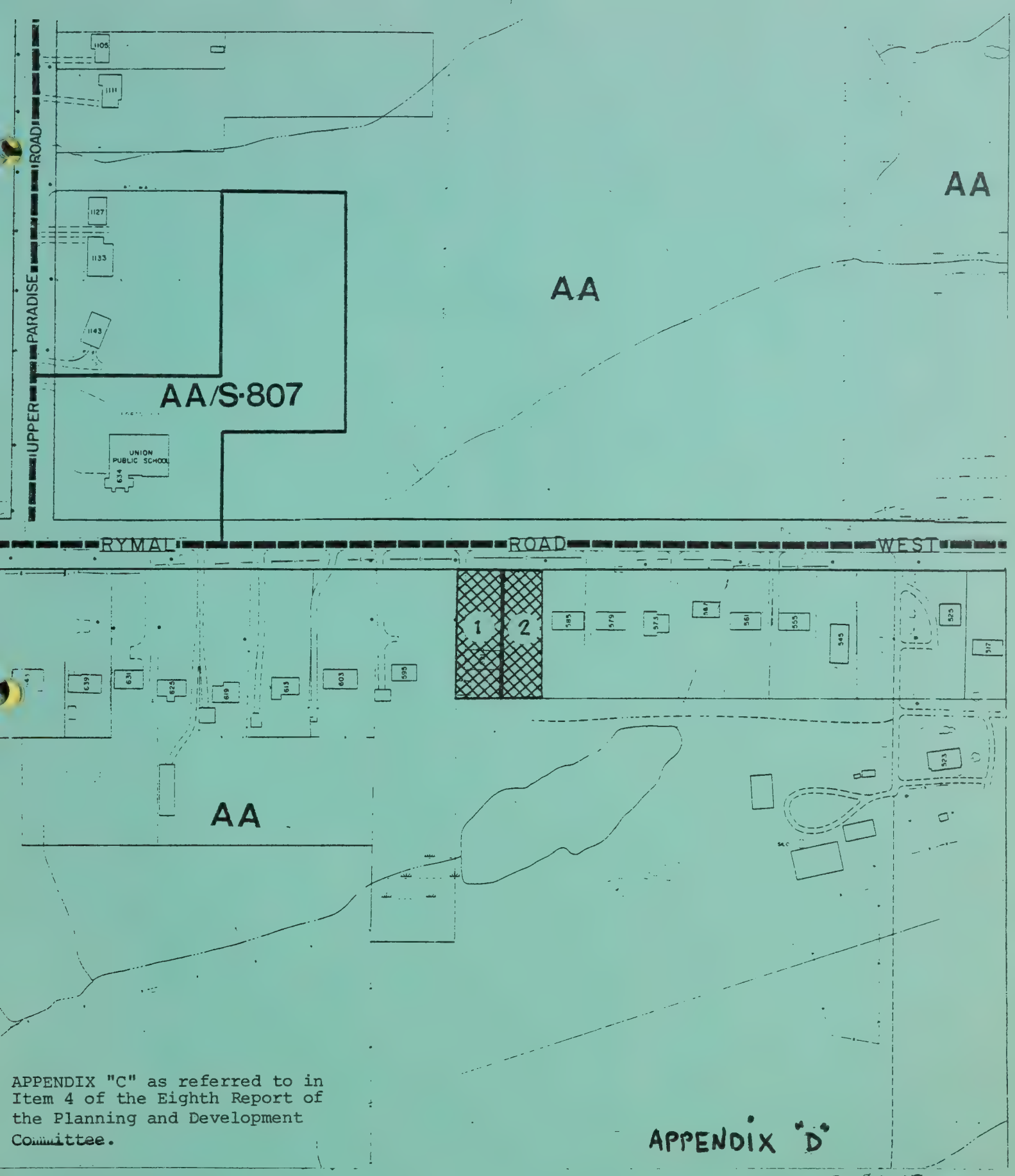
APPENDIX "C" as referred to in Item 3 of the Eighth Report of the Planning and Development Committee.

LEGEND.

SITE OF THE APPLICATION

C

Z.A. 84-11



APPENDIX "C" as referred to in Item 4 of the Eighth Report of the Planning and Development Committee.

APPENDIX "D"

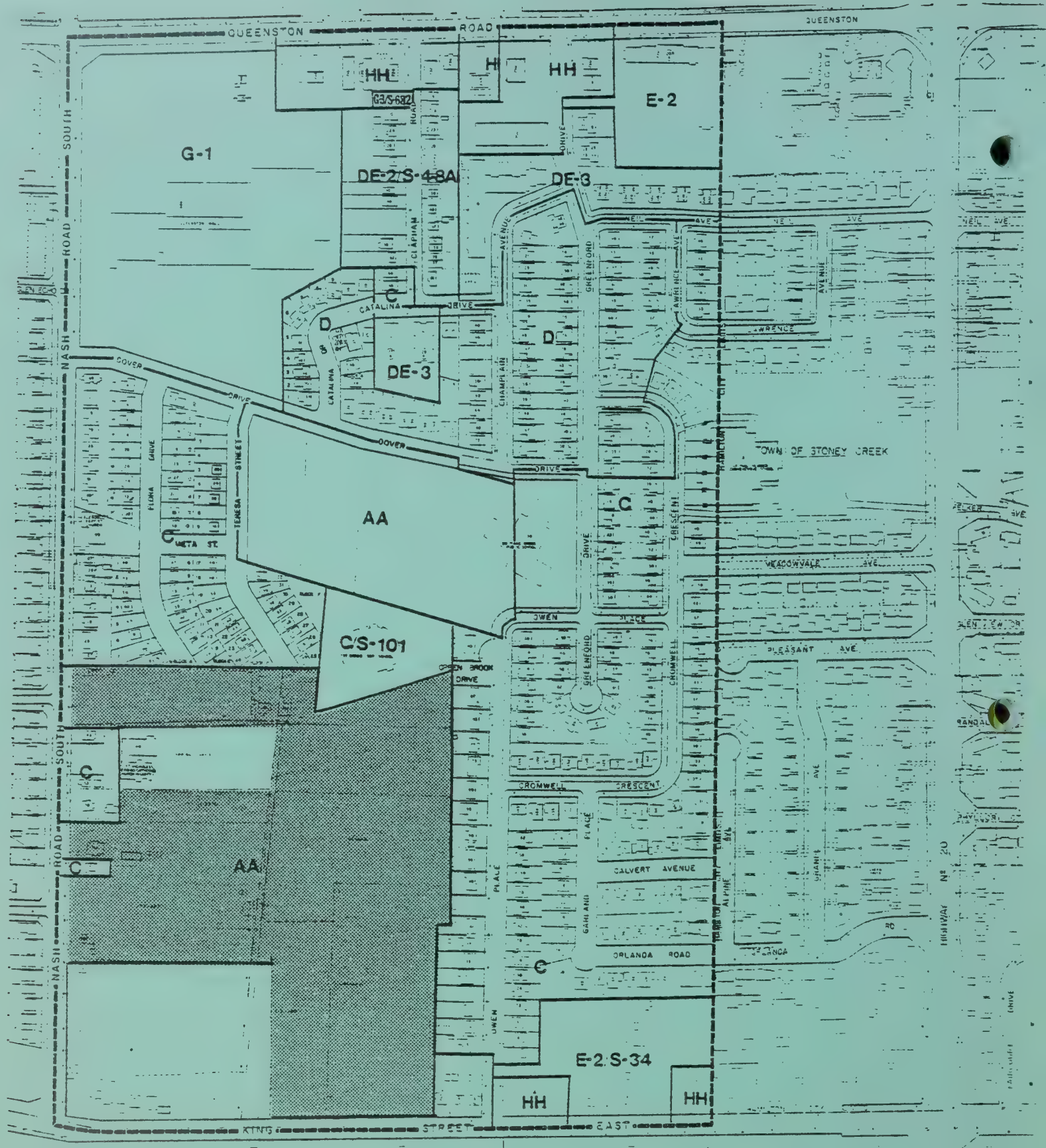
ZA 84-15

LEGEND.

Block 1 | Block 2 — CHANGE IN ZONING FROM "AA" TO "B".

Block 1 — MODIFICATION TO THE "B" ZONING DISTRICT REGULATIONS.

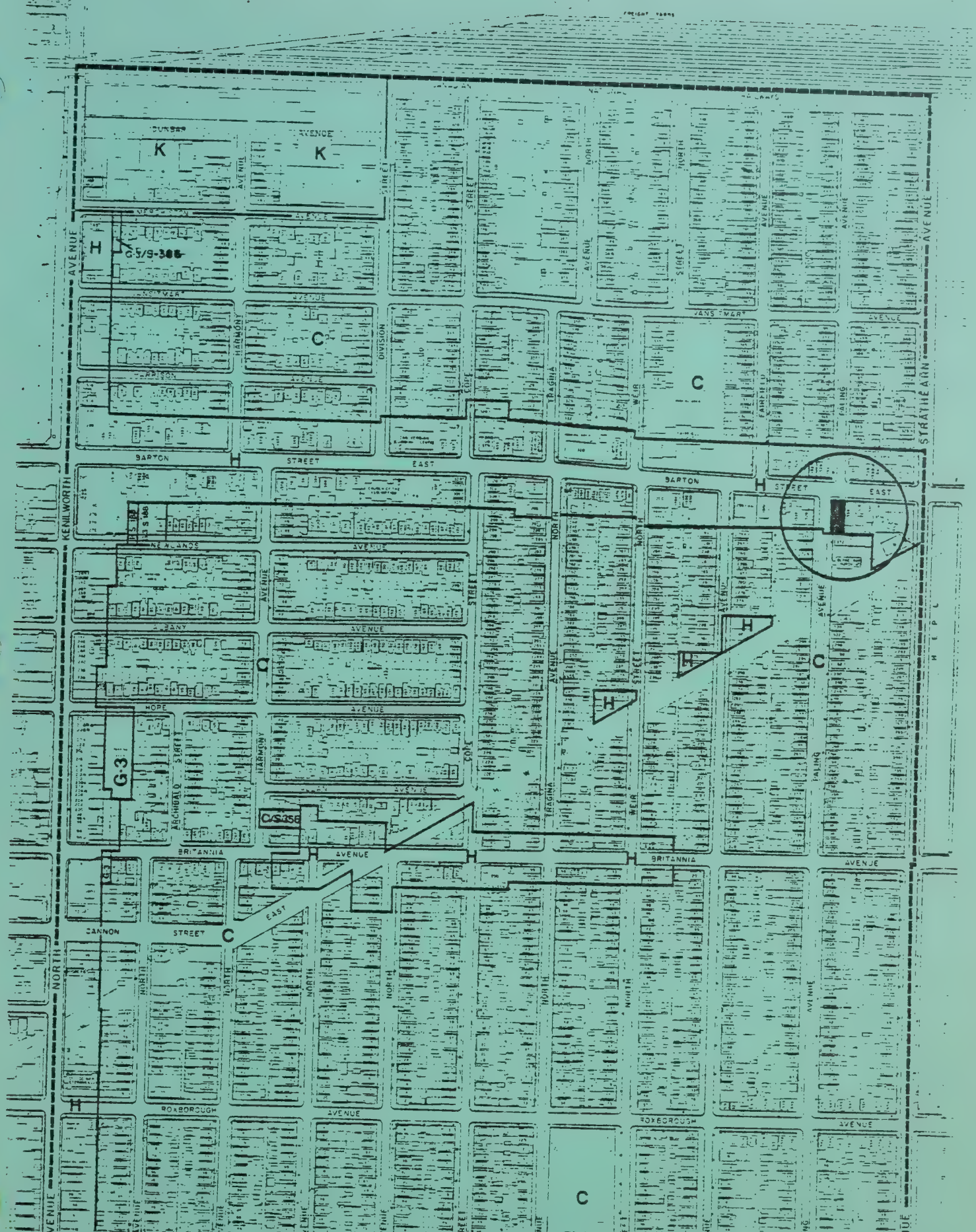
D



APPENDIX "E" as referred to in Item 5 of the Eighth Report of the Planning and Development Committee.

SITE OF THE APPLICATION

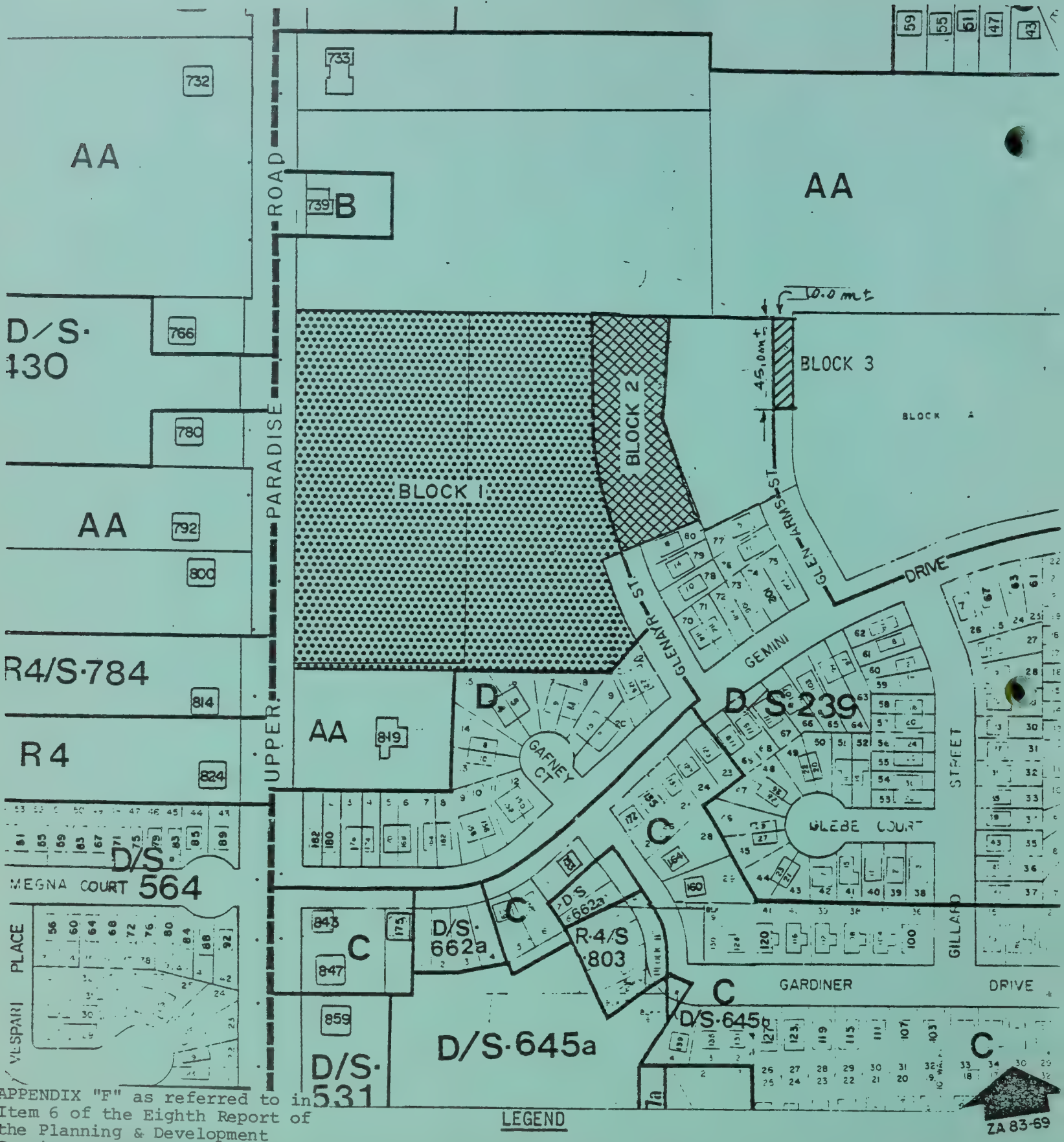
E 2484-07



APPENDIX "G" as referred to in Item 7 of the Eighth Report of the Planning and Development Committee.

G

SITE OF THE APPLICATION CI-83-



APPENDIX "F" as referred to in Item 6 of the Eighth Report of the Planning & Development Committee.

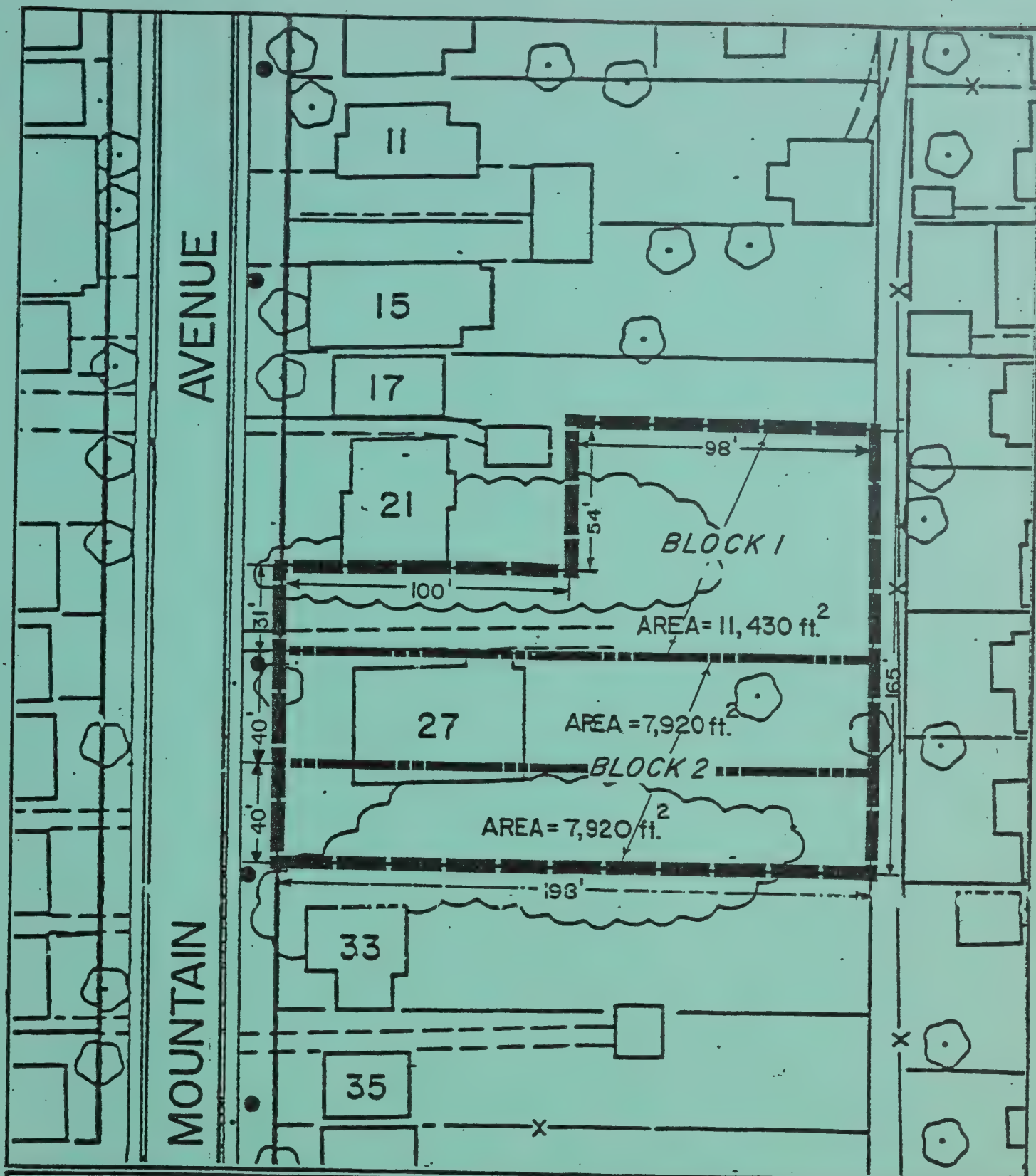
LEGEND

BLOCK 1 — Change in Zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

BLOCK 2 — Change in Zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "R-4" (Small Lot Single Family Detached) District.

BLOCK 3 — Change in zoning from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District.

F



APPENDIX "H"

ALTERNATIVE LOT LAYOUT
FOR
27 MOUNTAIN AVENUE

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

APPENDIX "H" as referred to in Item 8 of the Eighth Report of the Planning and Development Committee.

North	Scale	Reference File No.
	N.T.S.	ZA-84-18
	Date	Drawing No.
	NOV. 17, 1983	

AMENDMENT NO. 15 TO THE CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule 'H' hereto, constitutes Amendment No. 15.

PURPOSE

To incorporate a number of new policies in the Official Plan as necessitated by the new Planning Act.

BASIS

The new Planning Act, which came into effect August 1, 1983, requires that if a municipality wishes to utilize certain provisions under the Act, then appropriate policies must be incorporated in the Official Plan. These provisions include: Alternative Notice Procedures; Community Improvement Plans; Holding By-laws; Bonus By-laws and Site Plan Control.

Given that:

- many of these planning measures have been utilized by the City, prior to the new Planning Act without corresponding Official Plan policy; and,
- it is Council's intent to continue utilizing these measures under the new Act;

therefore, it is appropriate to amend the City's Official Plan.

The new Act also contains provisions relating to Interim Control and Temporary Use By-laws. While these two provisions do not require corresponding Official Plan policy, it is appropriate to incorporate such policies in the Plan to identify Council's intent to utilize them as required.

ACTUAL CHANGES

A) The following new Subsection D9 to be added to Section 'D' Implementation:

"D9 Notification and Public Participation Procedure

It is intended that all proposed Amendments to this Plan and the Zoning By-Law will be subject to a formal NOTIFICATION AND PUBLIC PARTICIPATION PROCEDURE. Further, in the preparation of Community Improvement Plans and Amendments thereto, the same PROCEDURE will be followed.

APPENDIX "I" as referred to in Item 9 of the Eighth Report of the Planning and Development Committee.

Accordingly, such a PROCEDURE will define the method of informing and obtaining public input to ensure that any proposed Amendment is responsive to municipal and public concerns.

It is intended that the PROCEDURE established in this Subsection of the Plan will replace all relevant sections of the Planning Act, and its implementing regulations, as they apply to public notice and input. The requirements of the Planning Act for amendments to the Official Plan, the Zoning By-law and Community Improvement Plans and Amendments thereto, will apply unless the PROCEDURES herein are met. The City of Hamilton is exercising the opportunity afforded by the Planning Act to establish an alternative PROCEDURE.

9.1 In considering the merits of any proposed Amendment to this Plan or Zoning By-Law, as a result of a specific application or special study, and in the preparation of a Community Improvement Plan and Amendments thereto, the Planning and Development Committee, on behalf of Council (in accordance with the Municipal Act), will notify, inform, and seek the input of all interested citizens. Accordingly, this Committee will be guided by the following PROCEDURE OF NOTIFICATION AND PUBLIC PARTICIPATION:

i) To inform and secure input from the public on the particulars of a proposal, the Planning and Development Committee will hold one or more public meeting(s). Further, depending on the nature and extent of a proposal, the Committee may also choose to:

a) convene open house (s);
b) have public displays;
c) hold workshops or seminars; or,
d) utilize other means considered appropriate to inform and secure public input.

In all cases, the appropriate staff will be available to assist and receive comments from the public during normal business hours on any matter where public notice has been given.

ii) NOTIFICATION of such meeting(s) will be given to the public at least 17 days prior to the date of the meeting(s) and will be given either by:

a) publication in a newspaper that is, in the Clerk's opinion, of sufficiently general circulation in the area to which the proposal would apply; and/or,

b) personal service or prepaid first-class mail, to every owner of land

- in the area to which the proposal would apply; and,

- within 120 metres of the area to which the proposal would apply,

as shown on the last revised assessment roll of the municipality, at the address shown on the roll, but, where the Clerk has received written notice of a change of ownership or occupancy of land, notice shall be given to the new owner or occupant as the case may be at the address set out in the written notice; and/or,

c) by posting a notice of the meeting, clearly visiable and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the proposed change would apply, or, where posting on the property is impractical, at a nearby location chosen by the Clerk; and,

d) personal service or prepaid first-class mail to every person and agency that has given the Clerk a written request for such notice in respect of the proposed official plan and zoning by-law amendments, Community Improvement Plans and amendments.

iii) in all instances, Council decisions will take place a minimum of 30 days from the time NOTIFICATION is first given.

9.2 Amendments proposed to this Plan and/or Zoning By-Law and Community Improvement Plans and Amendments, due to the Neighbourhood Plan process, as set out in Subsection D.2 (Planning Units and Neighbourhood Plans) will be subject to public review concurrently with the Neighbourhood Plan. Accordingly, the public meeting(s) for the Neighbourhood Plan will be used to inform and seek public input on any associated Amendment(s). In this regard, the NOTIFICATION PROCEDURE, detailed in Policy 9.1 above, will be followed for such Neighbourhood Plan meetings.

9.3 Notwithstanding Policy 9.1 above, where a proposed Amendment to the Zoning By-Law conforms to and implements this Plan and the Council approved Neighbourhood Plan, Council will circulate the Zoning By-Law in accordance with the Planning Act and if there are objections may direct Planning Committee to hold a public meeting. In all instances, such Zoning By-laws will be forwarded to the Ontario Municipal Board for final approval.

9.4 Notwithstanding Policy 9.1 above, a public meeting will not be held where any Amendment is considered minor in nature. Minor Amendments will be for format changes, typographical errors, grammatical errors, or where a by-law amends a by-law to express a word, term, or measurement in the by-law in a unit of measurement in accordance with the Weights and Measures Act."

B) The following new Subsection D.10 be added to Section 'D' Implementation:

"Community Improvement

It is the general intent of the Plan to promote the ongoing maintenance of the established areas of residences and work in the City through COMMUNITY IMPROVEMENT. Accordingly, it is intended that COMMUNITY IMPROVEMENT be achieved by means of the conservation, rehabilitation or redevelopment of areas characterized by obsolete buildings, and/or conflicting land uses and/or inadequate levels of Engineering and Community Services.

It is thus necessary to provide the framework to co-ordinate public and individual initiatives to effectively utilize the funding programs available from senior levels of government for COMMUNITY IMPROVEMENT. To this end, it is further intended that COMMUNITY IMPROVEMENT Project Areas, be identified and appropriate strategies for their revitalization be detailed through COMMUNITY IMPROVEMENT Plans.

10.1 It is the intent of Council that the COMMUNITY IMPROVEMENT AREAS as shown on Schedule "H" may be designated, in whole or part, by by-law, as COMMUNITY IMPROVEMENTS Project Areas, for which detailed COMMUNITY IMPROVEMENT Plans will be prepared.

10.2 Council will utilize the following criteria to identify and delineate COMMUNITY IMPROVEMENT Project Areas:

i) Older, predominantly Residential areas, which are potentially stable and have some of the following:

a) a significant portion of the housing stock in need of rehabilitation;

b) inadequate Engineering Services such as: sewers and water mains; roads and streets; curbs and sidewalks; and street lighting and utilities;

c) inadequate Community Services such as public indoor/outdoor recreational facilities; public open space; and public social facilities;

d) encroachment of non-residential uses; and,

e) inadequate parking facilities.

ii) Older, predominantly Commercial areas, which are potentially stable and have some of the following:

a) a significant portion of the building stock in need of rehabilitation;

b) inadequate Engineering Services such as: roads, sewers and water mains, street lighting;

c) poor overall visual amenity of the area,

d) existing or potential for a Business Improvement Area designation; and,

e) inadequate parking facilities.

iii) Older, predominantly Industrial areas, which are potentially stable and have some of the following:

a) inadequate engineering servies;

b) inadequate road access and traffic circulation;

c) shortage of land to accomodate building expansion and/or parking and loading facilities;

d) encroachment of non-industrial uses; and,

e) building and/or property deterioration.

10.3 Council will determine the sequences in which designated COMMUNITY IMPROVEMENT Project Areas will have individual COMMUNITY IMPROVEMENT Plans prepared. In this manner, limited public funding assistance will be directed to those Areas with critical deficiencies.

10.4 The COMMUNITY IMPROVEMENT Plan will function to co-ordinate individual initiatives to improve properties with municipal actions to improve Engineering and Community Services. Accordingly, COMMUNITY IMPROVEMENT Plans will define which of the following measures amongst others will apply in the affected COMMUNITY IMPROVEMENT Project Areas.

i) use of appropriate funding programs;

ii) acquisition of land where necessary in keeping with Subsection D.5 of this Plan;

iii) enforcement of a property standards by-law in keeping with Subsection C.5 of this Plan;

iv) consideration of more flexible zoning including bonus zoning provisions, where it will support the COMMUNITY IMPROVEMENT objectives.

v) encouragement of infill and rehabilitation where feasible;

vi) promotion of historical preservation through the appropriate Provincial and Federal legislation in keeping with Subsection C.6 of this Plan;

vii) promotion of the viability of commercial areas through such means as the establishment of Business Improvement Areas.

10.5 In the preparation of a COMMUNITY IMPROVEMENT Plan, Council will solicit the input of affected residents, property owners and other interested groups in keeping with the notice and Public Participation Procedure, as set out in Subsection D.9 of this Plan. COMMUNITY IMPROVEMENT Plans and amendments thereto will be adopted by Council.

10.6 When Council is satisfied that the COMMUNITY IMPROVEMENT Plan has been carried out, Council may, by by-law, dissolve the COMMUNITY IMPROVEMENT Project Area."

C) A new Schedule 'H', "Community Improvement Areas", as attached, be incorporated into the Official Plan.

D) The following changes be made to Subsection D.3 Zoning By-Law:

i) add the following to the title "AND SITE PLAN CONTROL"

ii) delete the preamble of the Subsection (in italics) and replace with the following:

"It is intended that the principal means of implementing this Plan and regulating land use will be by ZONING BY-LAW and SITE PLAN CONTROL. Accordingly, Amendments to the ZONING BY-LAW will be introduced for the purposes of conformity. It is intended that land not be prezoned in order that the SITE PLAN and other details will be previewed prior to development going ahead. In this matter, amenity and design, population density, public works' requirements, environmental concerns, and all other related policies of this Plan, or any Neighbourhood Plan, may be reviewed and appropriate ZONING regulations applied."

iii) delete the last sentence in Policy 3.1;

iv) renumber Policy 3.3 to Policy 3.4 and add the following at the beginning: "Further to Policy 3.3 above,..."

v) add a new Policy 3.3 as follows:

"Council, where deemed appropriate, will apply the holding provision of the ZONING BY-LAW, pursuant to the Planning Act, to specify the ultimate use of those lands which are contemplated for development or redevelopment at some time in the future. Thereby, Council will be able to preview proposals prior to development or redevelopment to ensure that it is compatible with surrounding land uses. The holding provision of the ZONING BY-LAW will be identified by the symbol "H" in the ZONING BY-LAW and applied under one or more of the following circumstances:

i) when land assembly is required to permit orderly development or redevelopment;

ii) if the level of Engineering and/or Community Services is not adequate to support the ultimate use;

iii) where environmental constraints currently preclude development or redevelopment without appropriate mitigative measures; and,

iv) where an area must undergo further study, or where a detailed design plan is required, as designated in this Plan, or as will be determined by an Amendment to this Plan from time to time."

vi) add a new Policy 3.5 as follows:

"In accordance with Subsections A.2.1, A.2.2, A.2.8.9, and A.2.9.3, Council may, where deemed appropriate, permit bonuses to increase the height and/or density of development or redevelopment than otherwise permitted in the ZONING BY-LAW, where the proponent of such an undertaking provides such facilities, services, and other matters as may be set out in the ZONING BY-LAW."

vii) add a new Policy 3.6 as follows:

"In accordance with the Planning Act, it is intended that SITE PLAN CONTROL measures be utilized, where appropriate, to minimize impacts of potentially incompatible uses, to maintain or enhance the existing character of an area, to ensure a safe and attractive environment, and to implement City and Regional standards.

Accordingly, the entire area within the corporate limits of the City of Hamilton will be a Proposed SITE PLAN CONTROL Area. While specific areas and uses where SITE PLAN CONTROL will apply will be established by BY-LAW, it is generally intended that the following areas will be exempted:

- low density residential;
- general and heavy industrial; and,
- conservation, open space, and agriculture.

However, in medium and high density residential areas, Council may require in accordance with the Planning Act, drawings showing plan, elevation and cross-section views for any building to be used for residential purposes of less than twenty-five (25) dwelling units."

viii) add a new Policy 3.7 as follows:

"In accordance with the Planning Act, Interim Control By-Laws may be used to limit the use of lands or buildings where Council has directed a study of land use planning policies in a defined area of the City. The provision of the Planning Act regarding timing, notice, and appeals of these By-laws will apply."

ix) add a new Policy 3.8 as follows:

"In accordance with the Planning Act, Temporary Use By-laws may be used to permit the use of lands, buildings, or structures, on a temporary basis, for any purpose as may be specified in the said By-law. The provisions of the Planning Act regarding timing and extensions to such By-laws will apply."

E) The following new Policy 2.1.16 be added to Subsection A.2.1:

"To enhance the quality of any high density RESIDENTIAL development, Council may, where deemed appropriate, permit additional density, where the proponent provides landscaped areas in excess of the Zoning By-law provisions in accordance with Subsection D.3 of this Plan."

F) The following new Policy 2.2.39 be added to Subsection A.2.2:

"To enhance the quality of any COMMERCIAL/RESIDENTIAL development, Council may, where deemed appropriate, permit additional Residential density where the proponent provides landscaped areas in excess of the Zoning By-law provisions, in accordance with Subsection D.3 of this Plan."

G) The following new Clause (vii) be added to Policy 2.8.9 in Subsection A.2.8:

> "Permit additional Residential density where the proponent provides landscaped areas in excess of the Zoning By-Law provisions to enhance the quality of a high density Residential and Commercial/Residential development in the CENTRAL POLICY AREA, in accordance with Subsection D.3 of this Plan."

H) The following new Clause (xiii) be added to Policy 2.9.3.1 in Subsection A.2.9.3:

> "To enhance the quality of a high density Residential and Commercial/Residential development, Council may, where deemed appropriate, permit additional Residential density, where the proponent provides landscaped areas in excess of the Zoning By-law provisions, in accordance with Subsection D.3 of the Plan."

I) The following changes be made to Policy 3.3.9 in Subsection B.3.3:

i) delete "Notwithstanding other policies in this Plan," and substitute "In accordance with the Planning Act and Subsection D.3 of this Plan,";

ii) delete Clause (iii) and substitute:

"The use of such vacant lands for temporary PARKING will not exceed three (3) years; and,"; and,

iii) delete the phrase "... or upon change in ownership, and, in either instance upon ..." and substitute "where".

Implementation

The provisions of Subsection 'D' Implementation of the City of Hamilton Official Plan, as amended, will apply to the implementation of this Amendment.

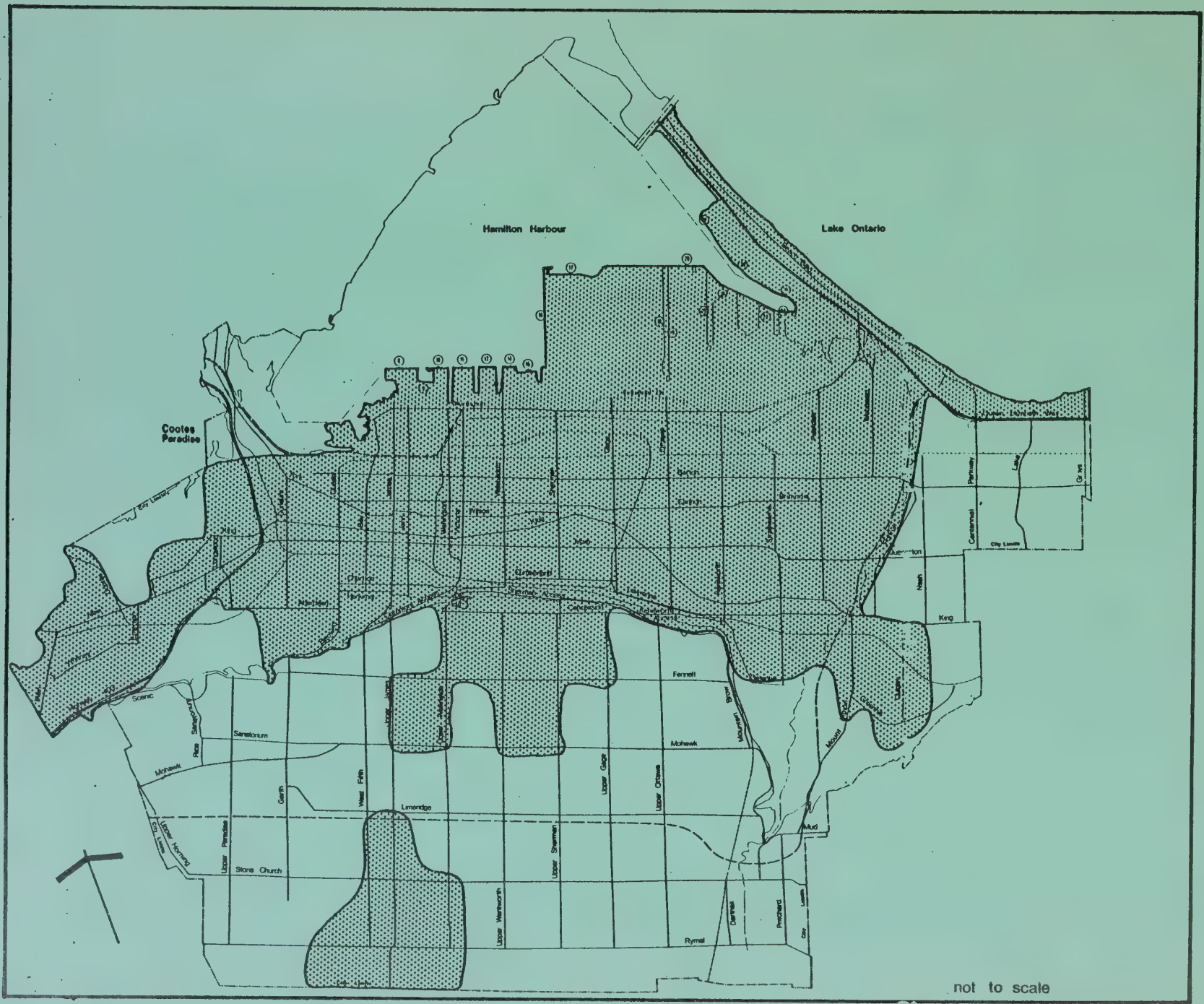
Bill No.

This is Schedule 1 to By-law No. 84-_____, passed on the _____ day of _____, A.D. 1984.

THE CORPORATION OF THE
CITY OF HAMILTON

_____ City Clerk

_____ Mayor



community improvement areas

legend

community improvement areas

schedule H

to the official plan for city of hamilton

84 03 12

D-30

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of The City of Hamilton.

Members of Council:

The Legislation Committee presents its **SEVENTH** Report for 1984 and respectfully recommends:

Grants

1. That a grant in the amount of $1,000 be made to the East Hamilton Soccer Club to be used to assist in defraying expenses to be incurred in staging and hosting a friendship tournament with Eastlake, Ohio to be held in the City of Hamilton September 1 - 3, 1984. It is estimated that approximately 300 boys and girls, together with 250 parents and City dignitaries will be in attendance.

2. That a grant in the amount of $1,000 to the Canadian Lawn Bowling Championships to help defray the cost of the 1984 Canadian Championships to be held in the City of Hamilton August 23 - 30, 1984 be approved. Approximately 550 competitors and visitors from across Canada will be in attendance.

3. That a grant in the amount of $150 to the Canadian National Society of the International Society of Prosthetics and Orthotics to help defray the cost of the Hamilton portion of a Symposium to take place August 13 - 17, 1984 be approved.

4. That a grant in the amount of $150 be made to the Mount Hamilton Minor Hockey Association to be used to assist in defraying expenses to be incurred in staging and hosting a Novice Friendship Tournament which was held at the Mountain Arena March 30 - 31 and April 1, 1984.

5. That a grant in the amount of $106 be made to the National Committee for Independent Canadian Unions, Hamilton Branch, to be used to assist in defraying the cost of their Annual Labour Day celebrations.

6. Members of City Council are advised that the Legislation Committee is in receipt of an application from the Association of Municipal Tax Collectors of Ontario requesting that the City of Hamilton provide a banquet to the delegates attending the 1984 Annual Conference of the Association in the City of Hamilton at an estimated cost of $4,000.

   The Committee has expressed favourable consideration towards this request as it has a municipal subject content but feels it cannot recommend approval of an estimated expenditure of $4,000 as this amount exceeds the limits imposed by City Council in adopting item 12 of the Fourth Report of the Finance Committee at its meeting held February 29, 1984 which limits grants towards lunches and dinners in an amount equal to $3.00 per registered delegate (a maximum of $1,000).

In keeping with Council's policy it is therefore recommended that a grant in the amount of $600 be made to the Association of Municipal Tax Collectors of Ontario.

7. That a grant request in the amount of $1,000 to the United Way of Burlington, Hamilton-Wentworth, to be used to help subsidize, in part, the cost of an event in appreciation of Labour's contributions to the United Way and the community be denied and that the applicant be advised that the grant request should be made directly to the Finance Committee.

8. That the request of the Royal Botanical Gardens for the City of Hamilton to host a reception in connection with "Seven Days in May" 11 - 17, 1984 in celebration of Ontario's Bi-centennial be denied.

9. That all requests for grants received in 1985 which would normally be considered by the Legislation Committee, be processed through the Finance Committee.

10 That civic awards be made to the following individuals and organizations:

(a) Mr. Mike Watson who won the Mr. Canada title in 1978 and 1979 sponsored by the International Federation of Body Building.

(b) Mr. Jeff Biggar who won two gold medals at the following events:

i) Dominion of Canada Rifle Association held in Ottawa in August, 1982 for target shooting,

ii) Royal Canadian Army Cadet Bisley Team for 1983.

(c) Members of the Hamilton and District Five Pin Bowlers Association who won the Pepsi Challenge Tournament for Ontario and Canada in five pin bowling in 1984.

(d) Members of the Mohawk College's Athletic Teams who son Ontario Championships in various athletic categories.

(e) Mr. John Sabelli who won the Ontario Heavy Weight Power Lifting Championships held in London, Ontario February, 1984.

(f) Members of the International Longshoremen's Association "AA" Major Midget "All-Star" Hockey Team of the Hamilton Minor Hockey Association who recently won the All Ontario Hockey Championship.

(g) Members of Blessed Sacrament Bantam Team who won the All Ontario Basketball Tournament Bantam League held in London, Ontario March 31 - April 1, 1984.

11 That the City of Hamilton be suitably represented at the Annual Conference of the Federation of Canadian Municipalities to be held in the City of Winnipeg from June 3 - 7, 1984.

12 Members of City Council are advised that the following resolution from the City of Vanier which was forwarded to the City of Hamilton for endorsation and support was considered by the Legislation Committee at its meeting held April 17, 1984. A motion that Hamilton City Council endorse this resolution was lost on a tie vote.

"WHEREAS the Province of Ontario offers numerous services in French with the intention to gradually increase them;

AND WHEREAS Franco-Ontarians have demanded recognition of their language in Ontario for 117 years;

AND WHEREAS numerous municipalities in Ontario have already declared themselves officially bilingual;

AND WHEREAS Prime Minister of Canada reiterated his request to the Premier of Ontario to officially recognize bilingualism for the province and that it be enshrined in the Constitution;

BE IT THEREFORE RESOLVED THAT the City of Vanier requests the Prime Minister of Ontario to give the required leadership and display of good faith towards Franco-Ontarians and to prove his adherence to the great principles governing a good and just government: by proclaiming the Province of Ontario officially bilingual;

AND THEREFORE BE IT FURTHER RESOLVED THAT a copy of this resolution be sent to all municipalities of Ontario and the Association of Municipalities of Ontario requesting support to this resolution."

13 That a request for the use of the City Hall Council Chambers for the Max Rotman Humanitarian Youth Award to be held on the evening of Wednesday, May 9, 1984 be approved.

14 That the Croation National Congress be authorized to serve coffee and cake in the City Hall foyer on June 7, 1984 from 9:00 a.m. to 1:00 p.m. in celebration of their 10th Anniversary and Ontario's Bi-centennial.

15 Approval of the payment of the following 1984 membership fees:

(a) Federaion of Canadian Municipalities - $18,386.04.

(b) Association of Municipalities of Ontario - $6,405.00.

Sufficient funds have been provided in the 1984 current budget to finance these expenditures.

16 That the following Tax Adjustments as recommended by the Tax Review Committee, at its meeting held April 12, 1984, be approved:-

APPEAL	AMOUNT			
Schedule "A" Compassionate	(1) Prior Year 1983	(2) Year-to-date 1984	(3) Tax Review Committee April 12 1984	(4) Total Year-to-date 1984
	$38,316.60	$3,315.00	$1,167.75	$4,482.75
Schedule "B" Business	(1) Prior Year 1983	(2) Year-to-date 1984	(3) Tax Review Committee April 12 1984	(4) Total Year-to-date 1984
	$1,010,482.12	$166,565.59	$76,183.13	$242,748.72
Schedule "C" Realty	(1) Prior Year 1983	(2) Year-to-date 1984	(3) Tax Review Committee April 12 1984	(4) Total Year-to-date 1984
	$289,954.88	$59,739.64	$132,771.24	$192,510.88

Respectfully submitted,

Alderman M. Kiss, Vice-Chairman

JDT/sma
1984 April 18

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its **FOURTH** Report for 1984 and respectfully recommends:

1. Approval of the awarding of the following contracts:

   (a) **FIRTH BROS. & MARTIN & LEVESQUE INC., Hamilton, Ontario**

   Supply and delivery of Uniform Clothing for the Hamilton Fire Department, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of $20 771.00

   Ontario Sales Tax Extra @ 7%.

   NOTE: Lowest of four tenders.

   (b) **BUSINESS INTERIORS INC., Burlington, Ontario**

   Supply and delivery of partitioning for the Personnel Department, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of $34 592.03

   All charges included.

   NOTE: Lowest of five tenders.

2. Approval of Appointments and Terminations in Permanent and Temporary Service with the Corporation to April 18, 1984, as set out in the list **appended hereto.**

3. That the position of Automotive Parts and Inventory Clerk as set out in section 5 of the Third Report of the Personnel Committee adopted by City Council at its meeting March 27, 1984 be amended by changing the salary schedule from "A-6" to "G-6".

   NOTE: For the information of the Members of City Council, A-6 is a 35 hour per week schedule; G-6 is a 40 hour per week schedule.

4. For the information of the Members of City Council, the Statutory Holiday of July 1, 1984 (Canada Day) will be celebrated, by law, on Monday, July 2, 1984, inasmuch as July 1st falls on a Sunday.

5. (a) Approval of the reorganization and salary classifications for the City Clerk's Department as set out in the attached Schedule "A".

(b) That the rates set out in Schedule "A" for union positions be effective February 1, 1983 and that the rates for non-union positions be effective January 1, 1983.

(c) That the Reorganization Chart - City Clerk's Department, attached hereto as Schedule "B", be approved.

(d) That the following Appeal Procedure be approved:

(i) A letter will be sent to all employees in the Department giving all employees affected by the reorganization an opportunity to make written submission (within five working days) containing their point or points of disagreement within their salary classification within the reorganized Department. These written submissions must be returned to the Department Head and copies sent on the the Chairman of the Personnel Committee, the C.A.O. and the Director of Personnel.

(ii) After careful review, the Chairman of the Personnel Committee, the C.A.O., the Department Head and the Director of Personnel will meet and decide on their final recommendations.

(iii) The individual employees will be invited to meet with the Personnel Committee at the time the final recommendations of the Review Committee and the reasons for such recommendations are presented.

(iv) The Personnel Committee will report to City Council when the above procedure has been completed.

In the event that any union employee is not satisfied on the completion of the foregoing steps, he or she may grieve under the Grievance Procedure starting at Step (3) Three.

(e) That the Chief Administrative Officer, in consultation with the City Clerk transfer, where possible, committee secretary services of subcommittees to the appropriate department.

(f) That committee secretary services for any future subcommittees or special purpose bodies be assigned to the appropriate department.

6. That the Corporation of the City of Hamilton in conjunction with the Regional Municipality of Hamilton-Wentworth tender for bids to review the salaries of all their non-union positions including those of the Trade Centre/Arena, Hamilton Place and Hamilton Public Library.

For the information of the Members of City Council, a report on the results of this tender will be submitted to the respective bodies for their approval together with the pertinent information on starting and completion dates along with a plan of procedure.

Respectfully submitted,

ALDERMAN P. COWELL, CHAIRMAN
PERSONNEL COMMITTEE

K. E. Avery, Secretary
April 21, 1984
encls.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

Referred to in section 2 of the Fourth Report of the Personnel Committee.

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Julie Godber	Program Organizer	Culture & Recreation	Replacement for Mr. Drago Stefanic - resigned	A-7	$376.58 per week	April 2/84
Mr. Fred Lucibello	Program Organizer	Culture & Recreation	Replacement for Mr. Chris Newman - resigned	A-7	$376.58 per week	April 2/84
Mrs. Helen Malham	Stenographer IV	City Clerk's	Returning to former position	E-2	$294.91 per week	March 27/84
Mr. Gregory Maychak	Program Organizer	Culture & Recreation	Replacement for Mr. Larry Cometto - resigned	A-7	$376.58 per week	April 9/84
Mr. William Pasel	Lieutenant	Fire	Replacement for Mr. James Cardwell - promoted	C-7	$33,831.56 per annum	March 11/84
Mr. Cecil Brown	Labourer	Public Works	Transferred per employee's own request	D-5	$9.7810 per hour	April 8/84
Mr. Patrick Fournier	Truck Driver-Labourer (Litter Containers)	Public Works	Replacement for Mr. Cecil Brown - reclassified	D-7	$9.8910 per hour	April 8/84
Mr. John McGrath	Cleaner (Market)	Central Market Division of City Clerk's Dept.	Replacement for Mr. Art Sceresneyes - resigned	B-2	$9.010 per week	March 7/84
Mrs. Lynn Smith	Stenographer IV	Central Garage Division of Public Works	Replacement for Mrs. Joanne Maki - transferred	E-2	$284.69 per week	March 19/84

Wednesday April 18, 1984

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. James Alston	Maintenance Man III	Property Maintenance Division of Real Estate	Retirement	15 years & 6 mo.	April 30/84
Mr. Larry Cometto	Program Organizer	Culture & Recreation	Resigned	10 years & 5 mo.	March 16/84
Mr. Hugh Douglas	Lieutenant	Fire	Retirement	32 years & 5 mo.	April 30/84
Mr. Francis Hickman	Garbageman	Public Works	Retirement	14 years & 11 mo.	March 30/84
Mr. James Howcroft	Assistant Deputy Chief	Fire	Retirement	35 years	April 26/84
Mr. Gustav Klein	Maintenance Foreman	Public Works	Retirement	25 years & 10 mo.	March 30/84
Mr. Robert Robertson	Motor Mechanic Helper	Central Garage	Terminated	2 months	March 19/84
Mr. Allan Rochead	Street Sweeper Operator	Public Works	Terminated	11 years & 9 mo.	March 9/84
Mr. Drafo Stefanic	Program Organizer	Culture & Recreation	Resigned	3 years & 1 month	March 24/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Laura Peddle	Supv. Employee Records & Human Resources (Temporary)	Personnel	Replacement for Mrs. Annie Holmes - maternity leave	H3	$25,234.56 per annum	March 12/84
Mr. George Ritchie	Information Clerk (temporary)	City Clerk's	Replacement for Mr. William Baillie -resigned	B-3	$8.4830 per hour	April 7/84
Mrs. H. Rosemary Warne	Stenographer I (temporary)	City Clerk's	Replacement for Miss Gloria Kerr - promoted	E-5	$356.02 per week	March 12/84
Mr. Patrick Fournier	Rink Attendant (temporary)	Culture & Recreation	Seasonal Staff	D-4A	$9.6110 per hour	March 24/84
Mr. Marco Traficante	Rink Attendant (temporary)	Culture & Recreation	Seasonal Staff	D-4A	$9.6110 per hour	March 24/84
Mr. Charlie Gandt	Tree Climber (temporary)	Public Works	Hired as Required	D-9	$9.9910 per hour	March 12/84
Mr. Robert Jantzi	Tree Climber (temporary)	Public Works	Hired as Required	D-9	$9.9910 per hour	April 3/84
Mr. Adam Marynowicz	Tree Climber (temporary)	Public Works	Hired as Required	D-9	$9.9910 per hour	March 12/84
Mrs. Silvana Albano	Stenographer III (temporary)	City Clerk's	Replacement for Mrs. Betty Goddard - promoted	E-3	$302.47 per week	March 12/84
Miss Mary Bow	Stenographer III (temporary)	Public Works	Replacement for Miss A. Damianopoulos - promoted	E-3	$302.47 per week	March 19/84

Wednesday April 18, 1984

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. William Baillie	Information Clerk (temp./part-time)	City Clerk's	Resigned	11 months	March 2/84
Mr. William Elliott	Chief Monitor (temp./part-time)	Culture & Recreation	Lay off	11 months	March 18/84
Miss Moira Hunter	Red Cross Instructor (temp./part-time)	Culture & Recreation	Resigned	7 months	March 7/84
Mr. Lawrence McDonald	Cashier (temp./part-time)	Parking Authority	Lay off	2 years & 9 mo.	Dec. 31/83
Mr. John Adam	Project Worker (temp./part/time)	City Architect's	Lay off	4 1/2 mo.	March 30/84
Mr. Joseph Potoma	Project Worker (temp./part-time)	City Architect's	Lay-off	3 1/2 mo.	March 27/84
Mr. Charlie Gandt	Tree Climber (temporary)	Public Works	Lay off	2 1/2 mo.	March 9/84
Mr. Adam Marynowicz	Tree Climber (temporary)	Public Works	Lay off	2 1/2 mo.	March 9/84
Mr. Steven Begley	Monitor (temp./part-time)	Culture & Recreation	Lay off	1 1/2 mo.	Feb. 5/84
Mr. Bruce Martin	Monitor (temp./part-time)	Culture & Recreation	Lay off	1 1/2 mo.	March 18/84
Mr. Daniel McDonald	Monitor (temp./part-time)	Culture & Recreation	Lay off	2 1/2 mo.	March 18/84
Miss Lynn Clee	Cashier (temp./part-time)	Culture & Recreation	Lay off	3 mo.	March 17/84

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Miss Sylvia DiFederico	Cashier (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Miss Kimberly Ewin	Cashier (temp./part-time)	Parking Authority	Lay off	1 yr. & 6 1/2 mo.	Jan. 1/84
Miss Alexandra McGuire	Cashier (temp./part-time)	Parking Authority	Lay off	3 mo.	Jan. 30/84
Miss Susan Oostwouder	Cashier (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Miss Darlene Rankin	Cashier (temp./part-time)	Culture & Recreation	Lay off	9 mo.	April 1/84
Miss Faye Smith	Cashier (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Miss Diane Theroux	Cashier (temp./part-time)	Culture & Recreation	Lay off	9 mo.	April 1/84
Miss Lora Tirimacco	Cashier (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Mrs. Ann Tyleman	Cashier (temp./part-time)	Culture & Recreation	Lay off	2 mo.	April 1/84
Mr. Patrick Fournier	Rink Attendant (temporary)	Culture & Recreation	Lay off	2 1/2 mo.	March 20/84
Mr. Patrick Fournier	Rink Attendant (temporary)	Culture & Recreation	Lay off	6 days	April 1/84
Mr. James Langdon	Rink Attendant (temporary)	Culture & Recreation	Lay off	2 mo.	April 1/84

Wednesday April 18, 1984

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Marco Traficante	Rink Attendant (temporary)	Culture & Recreation	Lay off	2 mo.	March 20/84
Mr. Marco Traficante	Rink Attendant (temporary)	Culture & Recreation	Lay off	7 days	April 1/84
Mr. Gary Woodworth	Rink Attendant (temporary)	Culture & Recreation	Lay off	2 mo.	April 1/84
Mr. Bradley Adamson	Checker (temp./part-time)	Culture & Recreation	Lay off	9 mo.	April 1/84
Mr. John Arsenault	Checker (temp./part-time)	Culture & Recreation	Lay off	9 mo.	April 1/84
Mr. Paul Baker	Checker (temp./part-time)	Culture & Recreation	Lay off	9 mo.	April 1/84
Mr. William Batrynchuk	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Miss Pamela Colthart	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Mr. D. James Dean	Checker (temp./part-time)	Culture & Recreation	Lay off	5 mo.	April 1/84
Mr. Joe DeLorenzi	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Miss Kimberly Garland	Checker (temp./part-time)	Culture & Recreation	Lay off	9 mo.	April 1/84
Mr. Joseph Garofalo	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Ted Golinski	Checker (temp./part-time)	Culture & Recreation	Lay off	9 mo.	April 1/84
Mr. Wayne Gooch	Checker (temp./part-time)	Culture & Recreation	Lay off	3 mo.	March 1/84
Miss Tracy Hartt	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Mr. Steven Jackson	Checker (temp./part-time)	Culture & Recreation	Lay off	9 mo.	April 1/84
Mr. Shawn Kelly	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Mr. John Lyle	Checker (temp./part-time)	Culture & Recreation	Lay off	9 mo.	April 1/84
Mr. Edward Martin	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Miss Mari-Beth May	Checker (temp./part-time)	Culture & Recreation	Lay off	5 mo.	March 4/84
Mr. Duarte Pavao	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Mr. James Pearson	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Mr. Brad Thompson	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 6/84
Mr.Robert Pouliot	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84

Wednesday April 18, 1984

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Claude Roy	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Miss Suzanne Shea	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Mr. George Smith	Checker (temp./part-time)	Culture & Recreation	Resigned	1 yr.& 4 mo.	March 31/84
Mr. David Strong	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Miss Maria Troisi	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Miss Bianca Van Bregt	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84
Mr. James Wentworth	Checker (temp./part-time)	Culture & Recreation	Resigned	6 mo.	April 1/84
Mr. Mark Whitmore	Checker (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 1/84

Schedule "A", as referred to in item 5(a) of the Fourth Report of the Personnel Committee.

EVALUATION RESULTS
CITY CLERK'S DEPARTMENT

Present Position Title	Present Salary Schedule	Present Salary Range	Actual Salary & Step	Proposed Position Title	Proposed Salary Schedule	Proposed Salary Range	Proposed Actual Salary & Step	Misc.
City Clerk	D	$45,762.08 - $56,558.84	$56,558.84	Same	C	$50,294.92 - $62,361.00	$58,872.84 (4th step)	Reclassify
Deputy City Clerk	F	$40,513.20 - $48,718.28	$48,718.28	Delete Position				
Assistant Secretary Board of Control and Executive Assistant to the Controllers	H	$34,532.68 - $41, 180.36	$41,180.36	Delete Position				
ssistant City Clerk	116	$29,200.60-$34,422.96	$34,422.96 (maximum)	Legislative Assistant	115	$26,647.40-$31,779.80	$34,422.96 (maximum)	
* IN LIGHT OF THE PROVISIONS OF THE NEW PLANNING ACT, THIS POSITION IS CURRENTLY UNDER REVIEW.								
dministrative ssistant	115	26,647.40-$31,779.80	$31,779.80 (maximum)	Delete Position				
Licence Administrator	114	$24,785.80-$29,558.36	$29,558.36 (maximum)	Same	114	$24,785.80-$29,558.36	$29,558.36 (maximum)	No Change
Committee Secretary and Supervisor of Records	113	$23,379.72-$27,772.16	$27,772.16 (maximum)	Records Administrator	116	$29,200.60 - $34,422.96	$29,200.60 (1st step)	Reclassify
Committee Secretary & Office Assistant	113	$23,379.72-$27,772.16	$25,234.56 (3rd step)	Legislative Assistant	115	$26,647.40-$31,779.80	$26,647.40 (1st step)	Reclassify
Chief License Inspector	113	$23,379.72-$27,772.16	$27,772.16 (maximum)	Same	113	$23,379.72-$27,772.16	$27,772.16 (maximum)	No Change
Supervisor of the Service Section	113	$23,379.72-$27,772.16	$27,772.16 (maximum)	Supervisor Printing & Mailing	113	$23,379.72-$27,772.16	$27,772.16 (maximum)	No Change In Salary
Executive Secretary to the Mayor	112	$21,714.68-$25,715.56	$25,715.56 (maximum)	Same	112	$21,714.68-$25,715.56	$25,715.56 (maximum)	No Change
Secretary A	111	$20,180.16-$23,787.92	$23,787.92 (maximum)	Same	111	$20,180.16-$23,787.92	$23,787.92 (maximum)	No Change

Present Position Title	Present Salary Schedule	Present Salary Range	Actual Salary & Step	Proposed Position Title	Proposed Salary Schedule	Proposed Salary Range	Proposed Actual Salary & Step	Misc.
Secretary A	111	$20,180.16-$23,787.92	$22,677.20 (4th step)	Same	111	$20,180.16-$23,787.92	$22,677.20 (4th step)	No Change
Secretary A (To the Aldermen) (2)	111	$20,180.16-$23,787.92	$23,787.92 (maximum) (2)	Same	111	$20,180.16-$23,787.92	$23,787.92 (maximum) (2)	No Change
Secretary A (To the Aldermen)	111	$20,180.16-$23,787.92	$22,677.20 (4th step) (2)	Same	111	$20,180.16-$23,787.92	$22,677.20 (4th step) (2)	No Change
Stenographer B (Mayor's Office)	108	$16,087.24-$18,991.96	$18,991.96 (maximum)	Stenographer I	E-5	$17,105.57-$19,232.88 ($328.07-$368.87 per week)	$19,232.88 ($368.87 per week maximum)	Reclassify
Stenographer B (Board of Control)	107	$14,963.52-$17,654.52	$17,654.52 (maximum)	Stenographer A	108A	$17,105.57-$19,232.88	$18,562.88 (3rd step)	Reclassify
Stenographer D	105	$13,601.64-$16,031.08	$16,031.08 (maximum)	Stenographer I	E-5	$17,105.57-$19,232.88 ($328.07-$368.87 per week)	$17,105.57 (1st step)	Reclassify
Licence Inspector I	A-8	$20,697.49-$25,145.56 ($396.96-$482.27) (per week)	$25,145.56 (482.27 per week) maximum	Licence Inspector I	A-9	$21,934.78 -'$26,268.65 ($420.69 - $503.81 per week)	$26,268.65 ($503.81 per week) Maximum	Reclassify
Licence Inspector II	A-7	$19,634.88-$24,031.33 ($376.58-$460.90 per week)	$24,031.33 ($460.90 per week) maximum (4)	Licence Inspector II	A-7	$19,634.88-$24,031.33 ($376.58-$460.90 per week)	$24,031.33 ($460.90 per week) maximum (4)	No Change

Present Position Title	Present Salary Schedule	Present Salary Range	Actual Salary & Step	Proposed Position Title	Proposed Salary Schedule	Proposed Salary Range	Proposed Actual Salary & Step	Misc.
Licence Inspector II	A-7	$19,634.88-$24,031.33 ($376.58-$460.90 per week)	$20,697.49 ($396.96 per week) (2nd step)	Licence Inspector	A-7	$19,634.88-$24,031.33 ($376.58-$460.90 per week)	$20,697.49 ($396.96 per week) (2nd step)	No Change
Deputy Divisional Registrar	A-5	$18,437.23-$21,655.31 ($353.61-$415.33 per week)	$21,655.31 (415.33 per week) (maximum)	Same	A-5	$18,437.23-$21,655.31 ($353.61-$415.33 per week)	$21,655.31 (415.33 per week) (maximum)	No Change
Stenographer I	E-5	$17,105.57-$19,232.88 ($328.07-$368.87 per week)	$19,232.88 ($368.87 per week) (maximum)	Stenographer A	109	$17,286.36-$20,421.96	$20,421.96 (maximum)	Reclassify
Senior Clerk, Printing & Mail Service Division	A-4	$17,770.88-$20,031.15 ($340.83-$384.18 per week)	$20,031.15 ($384.18 per week) (maximum)	Assistant Supervisor Printing & Mailing	110	$18,587.92-$22,023.56	$21,075.08 (4th step)	Reclassify
Senior Switchboard Operator	A-3	$16,576.35-$18,831.40 ($317.92-$361.17 per week)	$18,831.40 ($361.17 per week) (maximum)	Switchboard Operator	E-4	$16,703.57-$17,902.79 ($320.36-$343.36 per week)	$18,831.40 ($361.17 per week)	Grandfathered
Junior Clerk, Printing & Mail Service Division	A-3	$16,576.35-$18,831.40 ($317.92-$361.17 per week)	$18,831.40 ($361.17 per week) (maximum) (3)	Clerk I - Printing & Mailing	A-3	$16,576.35-$18,831.40 ($317.92-$361.17 per week)	$18,831.40 ($361.17 per week) (maximum) (3)	No Change In Salary
Licence Clerk	E-4	$16,703.57-$17,902.79 ($320.36-$343.36 per week)	$17,902.79 ($343.36 per week) (maximum)	Same	A-3	$16,576.35-$18,831.40 ($317.92-$361.17 per week)	$18,831.40 ($361.17 per week) (maximum)	Reclassify

Present Position Title	Present Salary Schedule	Present Salary Range	Actual Salary & Step	Proposed Position Title	Proposed Salary Schedule	Proposed Salary Range	Proposed Actual Salary & Step	Misc.
Stenographer II	E-4	$16,703.57-$17,902.79 ($320.36-$343.36 per week)	$17,902.79 ($343.36 per week) (maximum)	Stenographer I	E-5	$17,105.57-$19,232.88 ($328.07-$368.87 per week)	$18,562.88 ($356.02 per week) (3rd step)	Reclassify
Lottery Licence Clerk	E-3	$15,217.06-$16,439.74 ($291.85-$315.30 per week)	$16,439.74 ($315.30 per week) (maximum)	Licence Clerk	A-3	$16,576.35-$18,831.40 ($317.92-$361.17 per week)	$17,236.96 ($330.59 per week) (2nd step)	Reclassify
Information Clerk	E-3	$15,217.06-$16,439.74 ($291.85-$315.30 per week)	$16,971.57 ($325.50 per week)	Same	F-3	$15,217.06-$16,439.74 ($291.85-$315.30 per week)	$16,971.57 ($325.50 per week)	Grandfathered
Stenographer III	E-3	$15,217.06-$16,439.74 ($291.85-$315.30 per week)	$16,439.74 ($315.30 per week) (maximum)	Stenographer I	E-5	$17,105.57-$19,232.88 ($328.07-$368.87 per week)	$17,105.57 ($328.07 per week) (1st step)	Reclassify
Information Clerk	B-3	$17,139.46-$19,001.38 ($328.72-$364.43 per week)	$19,001.38 ($364.43 per week) (maximum) (4)	Dispatcher	G-3	$17,969.01-$19,921.65 ($344.63-$382.08 per week)	$19,921.65 ($382.08 per week) (maximum) (4)	Reclassify

Present Position Title	Present Salary Schedule	Present Salary Range	Actual Salary & Step	Proposed Position Title	Proposed Salary Schedule	Proposed Salary Range	Proposed Actual Salary & Step	Misc.
Printing & Mail Service Clerk	E-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	Clerk II	F-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	No Change In Salary
Printing Service Operator (Xerography)	E-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	Clerk II	E-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	No Change In Salary
Stenographer IV	E-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	Stenographer III	F-3	$15,217.06-$16,439.74 ($291.85-$315.30 per week)	$16,439.74 ($315.30 per week) (maximum)	Reclassify
Stenographer IV	F-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	Same	E-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	No Change
Stenographer IV	E-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	Same	F-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	No Change
Typist Clerk II	E-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	Same	E-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	No Change
Stenographer IV	E-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	Typist Clerk II	E-2	$14,272.80-$15,376.61 ($273.74-$294.91 per week)	$15,376.61 ($294.91 per week) (maximum)	No Change In Salary

Present Position Title	Present Salary Schedule	Present Salary Range	Actual Salary & Step	Proposed Position Title	Proposed Salary Schedule	Proposed Salary Range	Proposed Actual Salary & Step	Misc.
Printing Service Clerk	E-1	$13,563.70-$14,580.95 ($260.14-$279.65 per week)	$14,580.95 ($279.65 per week) (Max.)	Clerk III	E-1	$13,563.70-$14,580.95 ($260.14-$279.65 per week)	$14,580.95 ($279.65 per week) (Max.)	No Change In Salary
NEW POSITIONS								
Legislative Assistant					115	$26,647.40-$31,779.80	$26,647.40 (1st step)	New Position
Stenographer I					E-5	$17,105.57-$19,232.88 ($328.07-$368.87) (per week)	$17,105.57 (1st step)	New Position
Director of Administration and Deputy City Clerk					E	$43,266.60 - $52,511.68	$50,078.60 (4th step)	New Position
Director, Legislative Division					117	$31,375.24 - $37,416.08	$32,790.68 (2nd step)	New Position

TOTAL ACTUAL SALARIES - $1,148,553.59
AS OF APRIL 10, 1984

PROPOSED ACTUAL SALARIES - $1,167,505.64
AS OF APRIL 10, 1984

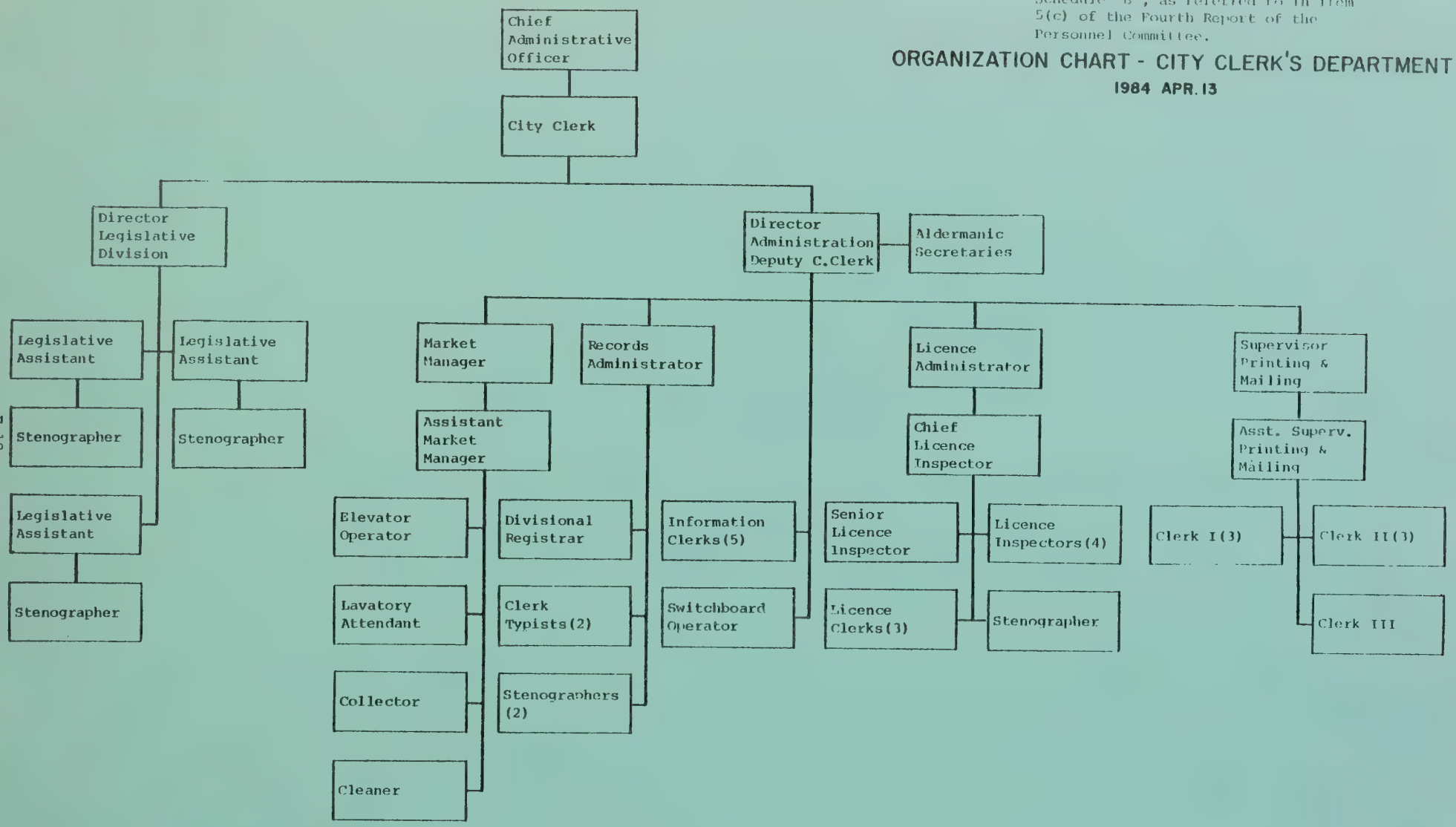
INCREASED COST - $18,952.05

Prepared By: Personnel Department
City Hall, Hamilton
April 10, 1984

Schedule "B", as referred to in item 5(c) of the Fourth Report of the Personnel Committee.

ORGANIZATION CHART - CITY CLERK'S DEPARTMENT

1984 APR. 13



NOTICE OF MOTION

Alderman M. Davison gave notice that he would move the following Notice of Motion at the next regular meeting of Hamilton City Council:

"WHEREAS, the citizens of Hamilton are most concerned about the fiscal priorities of local government, and the amount and types of taxes and fees levied by local government;

AND WHEREAS, this Council's current budgetary process does not encourage what would be extremely valuable advice from both our corporate and individual citizens;

AND WHEREAS, this Council is committed to open government and seeks to encourage public participation;

THEREFORE BE IT RESOLVED, that each year, when the Finance Committee reports the estimates of the City of Hamilton to the Council, that the Council invite the citizens of Hamilton to advise the entire Council, by way of briefs and presentations, on ways in which the budget might be improved to the benefit of this municipality, before this Council considers the budget. - "

NOTICE OF MOTION

Alderman T. Murray gave notice that he would move the following Notice of Motion at the next regular meeting of Hamilton City Council:

"RESOLVED: that the City Solicitor be authorized and directed to prepare a by-law to amend By-law No. 81-36, "To Establish the Office and Prescribe the Duties of a Chief Administrative Officer" by deleting item 10 of section 2, which reads as follows:

> 'Attend at all City Council meetings and attend at Committee meetings upon request or as may be necessary or adviseable'

and substituting in lieu thereof:

> 'Attend at all City Council Meetings and Standing Committee Meetings'. -"

A-1

APR 2 4 1984

BILL NO. C-4

The Corporation of the City of Hamilton

BY-LAW NO. 84-

TO FIX THE RATES OF TAXATION
FOR MUNICIPAL PURPOSES FOR THE YEAR 1984

WHEREAS it is necessary that the Estimates, as prepared by the Finance Committee for the year 1984 which set forth the revenues of The Corporation of the City of Hamilton, and the expenditures of The Corporation of the City of Hamilton,

(a) for municipal, and

(b) for the purposes of any duly constituted board, commission or other body of The Corporation of the City of Hamilton

be approved, and

WHEREAS it is necessary to impose rates of taxation for the year 1984,

(a) for municipal purposes, and

(b) for the purpose of any duly constituted board, commission or other body of The Corporation of the City of Hamilton.

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

1. The estimates,

   (a) of the revenues

   (b) of the expenditures,

   of The Corporation of the City of Hamilton for the year 1984 as prepared by the Finance Committee, are hereby approved.

2. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of $889,586,527, of which $504,174,114 is Residential assessment and $385,412,413 is Non-residential assessment, the following rates of taxation,

(a) for general municipal purposes 60.6990 mills producing	$ 53,996,970.00
(b) for the payment of debenture principal and interest of the general municipal fund 8.8021 mills producing	7,830,240.00
(c) for the purposes of the Public Library Board 9.0852 mills producing	8,082,070.00
	$ 69,909,280.00

3. The amount to be levied and raised against "residential" assessments in the amount of $504,174,114.00 determined as required by The Municipal Act shall be reduced by $5,943,150.00 or 11.7879 mills in accordance with Section 7(3) of The Ontario Unconditional Grants Act 1975 ..... 5,943,150.00

$ 63,966,130.00

4. The rate to be levied against "residential" assessments determined as required by The Municipal Act for Municipal purposes is 66.7984 mills on the dollar.

5. The rate to be levied against "non-residential" assessments determined as required by The Municipal Act for Municipal purposes is 78.5863 mills on the dollar.

6. This by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this day of A.D., 1984.

CITY CLERK MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 84-

TO FIX THE RATES OF TAXATION FOR REGIONAL PURPOSES FOR THE YEAR 1984

WHEREAS the Regional Municipality of Hamilton-Wentworth has approved the requisition to The Corporation of the City of Hamilton for $62,441,646.00 representing the City of Hamilton's share of the cost of operating the Regional Municipality of Hamilton-Wentworth for the year 1984.

WHEREAS after the deduction of $5,329,270.00 of 1984 estimated shared revenues, the funds for which have been provided in the City of Hamilton 1984 Estimates, and the addition of the 1983 underlevy in the amount of $92,445.00, it is intended to levy against the ratepayers of the City of Hamilton the resulting net amount of $57,204,821.00 for the year 1984.

NOW THEREFORE The Council of The Corporation of the City of Hamilton enacts as follows:

1. The estimated Corporation of the City of Hamilton's share of the Regional Municipality of Hamilton-Wentworth's 1984 levy, in the amount of $62,441,646.00, is hereby adopted as part of the 1984 Estimates of The Corporation of the City of Hamilton.

2. That there shall be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of $889,586,527.00, of which $504,174,114.00 is Residential assessment and $385,412,413.00 is Non-residential assessment, the following rates of taxation:

   (1) for Regional purposes 70.2796 mills producing $62,519,770.00

   (2) the amount to be levied and raised against "residential" assessments in the amount of $504,174,114.00 determined as required by The Municipal Act shall be reduced by $5,314,950.00 or 10.5419 mills in accordance with Section 7(3) of The Ontario Unconditional Grants Act 1975 ..... 5,314,950.00

   $57,204,820.00

   (3) the rate to be levied against "residential" assessments determined as required by The Municipal Act for Regional purposes is 59.7377 mills on the dollar

   (4) the rate to be levied against "non-residential" asessments determined as required by The Municipal Act for Regional purposes is 70.2796 mills on the dollar

   (5) this by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this day of A.D., 1984.

CITY CLERK MAYOR

The Corporation of the City of Hamilton

BY-LAW No.84-

TO FIX THE RATES OF TAXATION FOR SCHOOL PURPOSES FOR THE YEAR 1984

WHEREAS it is necessary that the Estimates of revenues and expenditures of the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board, as submitted to the Finance Committee of the City of Hamilton, for school purposes, be approved, and

WHEREAS it is necessary to impose rates of taxation for the year 1984 for school purposes.

THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows,

1. The estimates

   (a) of the revenues

   (b) of the expenditures,

   of the Board of Education for the City of Hamilton and the Hamilton-Wentworth Roman Catholic Separate School Board, for the year 1984, as submitted to the Finance Committee, and the underlevy in 1983 in the amount of $149,071.00, are hereby approved.

2. That there will be levied and raised on the whole of the rateable property of The Corporation of the City of Hamilton in the amount of $889,586,527.00, of which $504,174,114.00 is Residential assessment and $385,412,413.00 is Non-residential assessment, the following rates of taxation,

   (a) for Public School purposes on all rateable property in the amount of $740,040,225.00 of which $374,086,444.00 is Residential assessment and $365,953,781.00 is Non-residential assessment, liable for Public School rates 68.4860 mills producing ..... $ 50,682,400.00

   (b) for Separate School purposes 68.4860 mills on all rateable property in the amount of $149,546,302.00, of which $130,087,670.00 is Residential assessment and $19,458,632.00 is Non-residential assessment, liable for Separate School rates and which rate was imposed thereon by the Hamilton-Wentworth Roman Catholic Separate School Board and which rate the said Board has requested the Council to levy producing 10,241,830.00

   (c) for Secondary School purposes on all rateable property in the amount of $889,586,527.00, of which $504,174,114.00 is Residential assessment and $385,412,413.00 is Non-residential assessment, liable for Secondary School rates 52.0841 mills producing 46,333,310.00

   $107,257,540.00

3. The amount to be levied and raised against assessments in the amount of $374,086,444.00 determined as required by The Municipal Act shall be reduced by $3,842,950.00 or 10.2729 mills which is the amount of the estimated revenue from payments to be received by the Board of Education of The Corporation of the City of Hamilton in 1984 under The Education Act, 1974 ..... 3,842,950.00

4. The amount to be levied and raised against assessments in the amount of $504,174,114.00 determined as required by The Municipal Act shall be reduced by $3,938,940.00 or 7.8126 mills which is the amount of the estimated revenue from payments to be received by The Board of Education of The Corporation of the City of Hamilton in 1984 under The Education Act, 1974 ..... 3,938,940.00

5. The amount to be levied and raised against assessments in the amount of $130,087,670.00 determined as required by The Municipal Act shall be reduced by $1,336,380.00 or 10.2729 mills which is the amount of the estimated revenue from payments to be received by the Hamilton-Wentworth Roman Catholic Separate School Board in 1984 under The Education Act, 1974 ..... 1,336,380.00

$ 98,139,270.00

6. The Education rate to be levied against "residential" assessment determined as required by The Municipal Act:

   (a) by Public School supporters is 102.4846 mills on the dollar, and

   (b) by Separate School supporters is 102.4846 mills on the dollar.

7. The Education rate to be levied against "non-residential" assessments determined as required by The Municipal Act:

   (a) by Public School supporters is 120.5701 mills on the dollar, and

   (b) by Separate School supporters is 120.5701 mills on the dollar.

8. This by-law comes into force on the date on which it is enacted by the Council of The Corporation of the City of Hamilton.

PASSED this day of A.D., 1984.

CITY CLERK MAYOR

BILL NO. C-7

The Corporation of the City of Hamilton

BY-LAW NO. 84-

TO FIX THE TOTAL RATES OF TAXATION FOR MUNICIPAL, REGIONAL AND SCHOOL PURPOSES FOR THE YEAR 1984

WHEREAS the Council of The Corporation of the City of Hamilton has approved by-laws 84- , 84- and 84- being by-laws to impose rates of taxation for the year 1984 for:

(a) Municipal purposes

(b) Regional purposes

(c) Education purposes;

AND WHEREAS it is intended to consolidate herein the levies referred to in said by-laws.

NOW THEREFORE The Council of The Corporation of the City of Hamilton enacts as follows:

1. The total rate to be levied against "residential" assessments determined as required by The Municipal Act:

   (a) by Public School supporters is 229.0207 mills on the dollar, and

   (b) by Separate School supporters is 229.0207 mills on the dollar.

2. The total rate to be levied against "non-residential" assessments determined as required by The Municipal Act:

   (a) by Public School supporters is 269.4360 mills on the dollar, and

   (b) by Separate School supporters is 269.4360 mills on the dollar.

3. This by-law comes into force on the date on which it is enacted by The Council of The Corporation of the City of Hamilton.

PASSED this day of A.D., 1984.

CITY CLERK MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Levy:

AN ANNUAL TAX ON TELEGRAPH AND TELEPHONE COMPANIES DOING BUSINESS IN ONTARIO

Respecting:

THE BELL TELEPHONE COMPANY OF CANADA AND CANADIAN NATIONAL TELECOMMUNICATIONS AND CANADIAN PACIFIC TELECOMMUNICATIONS

WHEREAS section 161 of The Municipal Act, R.S.O. 1980, Chap. 302, empowers the Council of The Corporation of the City of Hamilton to levy on every telegraph and telephone company doing business in Ontario an annual tax equal to 5 per cent of the total gross receipts of such company for the preceding year;

AND WHEREAS The Bell Telephone Company of Canada is a telephone company doing business in the Municipality of the City of Hamilton;

AND WHEREAS Canadian National Railway Company is a company doing telegraph business in the Municipality of the City of Hamilton under the name and style of Canadian National Telecommunications;

AND WHEREAS Canadian Pacific Limited is a company doing telegraph business in the Municipality of the City of Hamilton under the name and style of Canadian Pacific Telecommunications;

AND WHEREAS the gross receipts of The Bell Telephone Company of Canada, doing business within the Municipality of The City of Hamilton is in the amount of $95,726,960.00 for the year ended the 31st day of December, 1983;

AND WHEREAS the joint gross receipts of Canadian National Telecommunications and Canadian Pacific Telecommunications is in the amount of $15,348.00 for the year ended December 31st, 1983;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that a tax for the fiscal year ended December 31, 1983 be levied,

   (a) on the Bell Telephone Company of Canada Limited in the amount of $4,786,348.00 and

   (b) jointly on Canadian National Railway Company doing business as Canadian National Telecommunications and Canadian Pacific Limited doing business as Canadian Pacific Telecommunications in the amount of $767.40.

2. That the tax levied hereunder shall be collected in the same manner as municipal taxes are collectible and is a special lien under Section 369 of The Municipal Act on all the lands of,

   (a) The Bell Telephone Company of Canada,

   (b) Canadian National Railway Company and Canadian Pacific Limited for any respective amounts that are due under the by-law.

PASSED this day of A.D., 1984.

CITY CLERK MAYOR

Bill No. C-9

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Levy the Special Charge for 1984 for the Improvement Area in the Area Between King William Street, Mary Street, Main Street East and James Street, Designated by By-law No. 82-151

WHEREAS pursuant to subsection 217(10) of The Municipal Act, R.S.O. 1980, Chapter 302, the Board of Management for the Improvement Area has submitted Estimates for the year 1984;

AND WHEREAS a Special Charge is to be levied to raise the sum equal to the total of the Estimates.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Estimates of the Board of Management for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street for 1984 in the amount of $110,000 are hereby approved.

2. In order to raise the said $110,000, there is hereby levied a Mill Rate of 20.6418 as a Special Charge on the persons in the Area assessed for business assessment, in accordance with By-law No. 82-152, as follows:

(1)	The assessed value of all the real property in the Area used as the basis for computing business assessment, (known herein as "the Total Assessed Value") is		$6,361,021
(2)	The assessed value of the real property that is used as the basis for computing the business assessment of City Parking Holdings Limited with respect to the hotel business known as "The Royal Connaught Hotel" at 82 King Street East is	$728,591	
	This is reduced by two-thirds to produce the Reduced Assessed Value of that business:	485,730	
		$242,861	
(3)	The assessed value of the real property that is used as the basis for computing the business assessment of Commonwealth Holiday Inn of Canada Limited with respect to the hotel business known as "The Holiday Inn" at 150 King Street East is	$819,450	
	This is reduced by two-thirds to produce the Reduced Assessed Value of that business:	$546,303	
		$273,147	

(4) "The Reduced Total Assessed Value" is ($6,361,021 - $485,730 - $546,303) $5,328,988

(5) The Mill Rate for the Special Charge is calculated by:

(a) dividing the approved estimates of the Board of Management, $110,000,

(b) by the Reduced Total Assessed Value, $5,328,988 and

(c) multiplying the result by 1,000.

3. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(2) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.

4. The portion of the Special Charge to be paid by the hotel business in sub-paragraph 2.(3) shall be determined by multiplying its Reduced Assessed Value by the Mill Rate.

5. The portion of the Special Charge to be paid by each of the other persons in the Area assessed for business assessment shall be determined by multiplying the assessed value of the real property that is used as the basis for computing the business assessment of such person by the Mill Rate.

PASSED this day of A.D. 1984.

City Clerk Mayor

Bill No. C-10

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Levy:

A Special Charge

Respecting:

THE AREA GENERALLY COVERING CONCESSION STREET BETWEEN EAST 18th STREET AND EAST 25th STREET

WHEREAS subsection 217(17) of The Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

> (17) Subject to such maximum and minimum charges as the council may specify by by-law, the council shall in each year levy a special charge upon persons in the area assessed for business assessment sufficient to provide a sum equal to the sum of money provided for the purposes of the Board of Management for that area, together with interest thereon at such rate as is required to repay any interest payable by the municipality on the whole or any part of such sum, which shall be borne and paid by such persons in the proportion that the assessed value of the real property that is used as the basis for computing the business assessment of each of such persons bears to the assessed value of all the real property in the area used as the basis for computing business assessment.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,

   (a) "area" means the business improvement area designated by By-law No. 83-308;

   (b) "estimates" means the estimates referred to in subsection 217(10) of The Municipal Act.

2. The estimates of the Board of Management of the Area, for the year 1984, in the amount of $12,000 is hereby approved.

3. The assessed value of all the real property in the Area used as the basis for computing business assessment is $707,589.

3. The special charge required to be levied in 1984 upon persons in the Area assessed for business assessment in accordance with subsection 217(17) of The Municipal Act is hereby levied at a mill rate of 16.9590.

PASSED this day of A.D. 1984.

City Clerk Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Municipal Tax Levy By-law No. 71-69

Respecting:

INTEREST ON TAX OVERPAYMENTS

WHEREAS By-law No. 71-69, passed on the 9th day of March, 1971, in accordance with Part XXV of The Municipal Act, R.S.O. 1960, Chapter 23, as amended by By-laws Nos. 72-28, 72-206, 73-159, 74-4, 74-184, 76-121, 77-161, 79-314, 80-034, 81-279, 81-304, 82-43, 82-87, and 83-60, provides for the Levy of Municipal Taxes;

AND WHEREAS subsection 6(1) of The Municipal Interest and Discount Rate Act, 1982, S.O. 1982, Chapter 44 provides as follows:

> 6. (1) A local municipality may pass by-laws to provide for paying to persons to whom overpayments are refunded under subsection 36(6) of the Assessment Act, interest on the overpayments at such rate as the council may determine and different rates may be paid for different successive periods from the day the overpayments were made or such other day as may be set out in the by-law until the day they were refunded or such other day as may be set out in the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Sections 20a, 21, 22 and 23 of By-law No. 71-69 are respectively renumbered 22, 23, 24, and 25.

(2) By-law No. 71-69, as amended aforesaid, is further amended by adding thereto the following section:

> 21. (1) Where an overpayment is refunded under subsection 36(6) of The Assessment Act, simple interest shall be paid on the tax overpayment to the person to whom the overpayment is refunded.
>
> (2) The interest shall be paid commencing with the assessment roll returned for the taxes levied for the year 1984.

(3) The interest on the overpayment shall be the annual rate of interest established based on the highest rate of interest paid on regular savings accounts at a chartered bank, as at the 1st day of May, 1984 and as at the 1st day of May in each succeeding year.

(4) No interest shall be paid on pending appeals in respect of the 1983 and prior taxation years.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1983) 16 R.F.C. 6, September 28

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

The Property Standards By-law No. 74-74

Respecting:

FEES

WHEREAS By-law No. 74-74 was enacted on the 30th day of April, 1974 in accordance with section 36 of The Planning Act, R.S.O. 1970, Chapter 349, as re-enacted by S.O. 1972, Chapter 118, section 7, (now The Planning Act, 1983, section 31);

AND WHEREAS subsection 31(21) of The Planning Act, 1983 provides that the council of a municipality may prescribe a fee payable for a certificate of compliance where it is issued at the request of the owner;

AND WHEREAS section 9 of the 5th Report of the Planning and Development Committee, adopted by City Council on March 27, 1984, directed the preparation of this by-law to provide for the fee increases hereinafter set out.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 34(2) of By-law No. 74-74 is amended by striking out "and 4" in the second line.

2. Subsections 34(3) and (4) of the said by-law are repealed and the following substituted in lieu thereof:

3. The fee for a certificate of compliance shall be as follows:

(a) For a single family dwelling.....$150.00.

(b) For a two-family dwelling, a three-family dwelling, or a multiple dwelling.....$150.00 plus an amount calculated at the rate of $10.00 for each additional dwelling unit in excess of the first dwelling unit.

(c) For a lodging house, second level lodging house, or nursing home.....$150.00 plus an amount calculated at the rate of $5.00 for each permitted resident.

(d) For all other buildings.....$150.00 plus an amount calculated at the rate of $5.00 per 1,000 square feet of gross floor area for the gross floor area in excess of the first 1,000 square feet.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 5 R.P.D.C. 9, March 27
City Initiative (Building Dept.)

Bill No. D-50

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Building Code By-law No. 76-119

Respecting:

FEES

WHEREAS By-law No. 76-119, passed on the 27th day of April, 1976, pursuant to subsection 2 of section 5 of The Building Code Act, 1974, (now R.S.O. 1980, Chapter 51, subsection 2 of section 5), provides for a schedule of fees to be paid for permits;

AND WHEREAS it is desirable to revise the fees in the schedule of fees annexed to the said by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 76-119, as amended by section 1 of By-law No. 78-293, and re-enacted by section 1 of By-law No. 81-69, and section 1 of By-law No. 83-69, is deleted and Schedule "A" annexed hereto and forming part of this by-law is substituted therefor.

PASSED this day of A.D. 1984.

City Clerk

Mayor

(1984) 5 R.P.D.C. 9, March 27
City Initiative (Building Dept.)

SCHEDULE "A"

By-law No. 76-119

FEES

CLASS OF PERMIT (Column 1)	FEE (Column 2)
1. Permit for the construction of a building or part thereof.....	$25.00 plus an amount calculated at the rate of $9.00 per each $1,000 or part thereof of the cost or valuation of construction in excess of the first $1,000 up to and including a cost or valuation of $20,000,000; **PLUS** an amount calculated at the rate of $4.00 per $1,000 or part thereof of the cost or valuation of the construction from $20,000,000 up to and including $50,000,000; **PLUS** an amount calculated at the rate of $2.00 per $1,000 or part thereof of the cost or valuation above $50,000,000.
2. Permit for the demolition of a building.....	$100.00 plus an amount calculated at the rate of $25.00 per each additional 3,000 cubic metres or part thereof in excess of the first 3,000 cubic metres.
3. Permit to authorize the occupancy of a building or part thereof,	
(1) First inspection.....	No Fee.
(2) Each inspection after the first inspection.....	$35.00.

Bill No. D-51

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

By-law No. 84-14

Respecting:

TARIFF OF FEES

WHEREAS By-law No. 84-14, passed on the 10th day of January, 1984, enacted in accordance with subsection 68(1) of The Planning Act, 1983, prescribed a tariff of fees in respect of applications;

AND WHEREAS it is intended to prescribe a fee in respect of applications to the Committee of Adjustment.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 84-14 is amended by adding the following paragraph thereto:

5. Application to the Committee of Adjustment.....$150.00

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 5 R.P.D.C. 9, March 27
City Initiative (Building Dept.)

Bill No. D-52

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Repeal:

By-law No. 83-70

Respecting:

LAND LOCATED AT MUNICIPAL NO. 564 WOODWARD AVENUE

WHEREAS By-law No. 83-70, passed on the 22nd day of February, 1983, authorized the demolition and clearing of buildings, structures, debris or refuse on land at No. 564 Woodward Avenue;

AND WHEREAS demolition of the buildings and structures has been completed and the land cleared;

AND WHEREAS the authority in the said by-law is no longer necessary.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 83-70 is repealed.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 7 R.P.D.C. 6, April 10

Bill No. D-53

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 83-240

Respecting:

1. **LAND LOCATED ON THE NORTH SIDE OF LAND STREET BETWEEN WENTWORTH STREET NORTH AND NIAGARA STREET (BLOCK 3).**
2. **LAND LOCATED ON THE NORTH SIDE OF BURLINGTON STREET BETWEEN WILFRED STREET AND WENTWORTH STREET NORTH (BLOCK 4).**

WHEREAS By-law No. 83-240, passed on the 27th day of July, 1983, rezoned the land comprised in Blocks 3 and 4 shown on schedule "A3" from "K" (Heavy Industry, etc.) district to "F-4" (Waterfront Services) district and established special requirements for the land respecting alterations or extensions of buildings and respecting side yard width;

AND WHEREAS it is intended herein to clarify the special requirements so that they apply only to existing dwellings;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2(1) of By-law No. 83-240 is amended by inserting after "amended" in the second line, "in respect of dwellings existing at the time of the passing of this by-law".

2. By-law No. 6593 is amended by adding this by-law to section 19B as "S-841a".

3. Sheets Nos. E-10, E-11, and E-19 of the District Maps are amended by marking the land shown as Blocks 3 and 4 on schedule "A3" to By-law No. 83-240, "S-841a".

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 4 R.P.D.C. 3(b), March 13
City Initiative 84-A

Bill No. D-54

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Repeal:

Zoning By-law No. 83-313

Respecting:

LAND LOCATED AT THE WELLINGTON STREET MARINE TERMINAL

WHEREAS By-law No. 83-240, passed on the 27th day of July, 1983, rezoned land located at the Wellington Street Marine Terminal shown on Schedule "A3" as Block 1 thereto from "J" (Light and Limited Heavy Industry, etc.) district to "F-4" (Waterfront Services) district;

AND WHEREAS By-law No. 83-313, passed on the 30th day of November, 1983, deleted the said land from Schedule "A3" to By-law No. 83-240 so as to permit the addition of an equipment maintenance shop to an existing industrial use (Bermingham Construction Limited) located at the Wellington Street Marine Terminal;

AND WHEREAS as of the date of the passing of By-law No. 83-313, By-law No. 83-240 was not yet approved by the Ontario Municipal Board and was not in force;

AND WHEREAS By-law No. 83-313 has not yet been approved by the Ontario Municipal Board and is not in force;

AND WHEREAS as of the date of the passing of this by-law, By-law No. 83-240 has not been approved by the Ontario Municipal Board and is not in force;

AND WHEREAS it is intended herein to repeal By-law No. 83-313 thereby re-establishing the "F-4" (Waterfront Services) district zoning applicable to the said land.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 83-313 is repealed.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 4 R.P.D.C. 3(a)(a), March 13
City Initiative 84-A

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 126 to 132 CATHCART STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) in accordance with section 38 of The Planning Act, 1983, the land may be used temporarily for the parking of motor vehicles for a period not exceeding three years from the day of the passing of this by-law;

(b) notwithstanding clause 10(3)(i) of By-law No. 6593, a front yard having a depth of not less than 3.0 metres shall be provided and maintained as a landscaped area, except for the area occupied by an access driveway;

(c) a landscaped area not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line;

(d) a visual barrier not less than 1.2 metres and not more than 2.0 metres in height located not less than 3.0 metres from the front lot line, shall be provided and maintained along the side lot lines;

(e) a chain link fence parallel to the front lot line not less than 1.2 metres and not more than 2.0 metres in height located not less than 3.0 metres to the front lot line, shall be provided and maintained except on the land occupied by an access driveway;

(f) a chain link fence not less than 1.2 metres and not more than 2.0 metres in height shall be provided and maintained along the rear lot line;

(g) illumination provided for the parking area shall be directed towards and onto the lot on which the parking spaces are located and away from,

(i) any adjacent uses; and

(ii) any highway;

(h) no land and no building or structure thereon shall be used for a loud-speaker system;

(i) a gravel or like surface shall be provided and maintained for every parking space and access driveway;

(j) no part of the land, except the land adjacent to Cathcart Street, shall be used for vehicular egress from and access to the land;

(k) no access driveway or egress from the land shall be located less than 3.0 metres from a lot line abutting a residential lot.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-858".

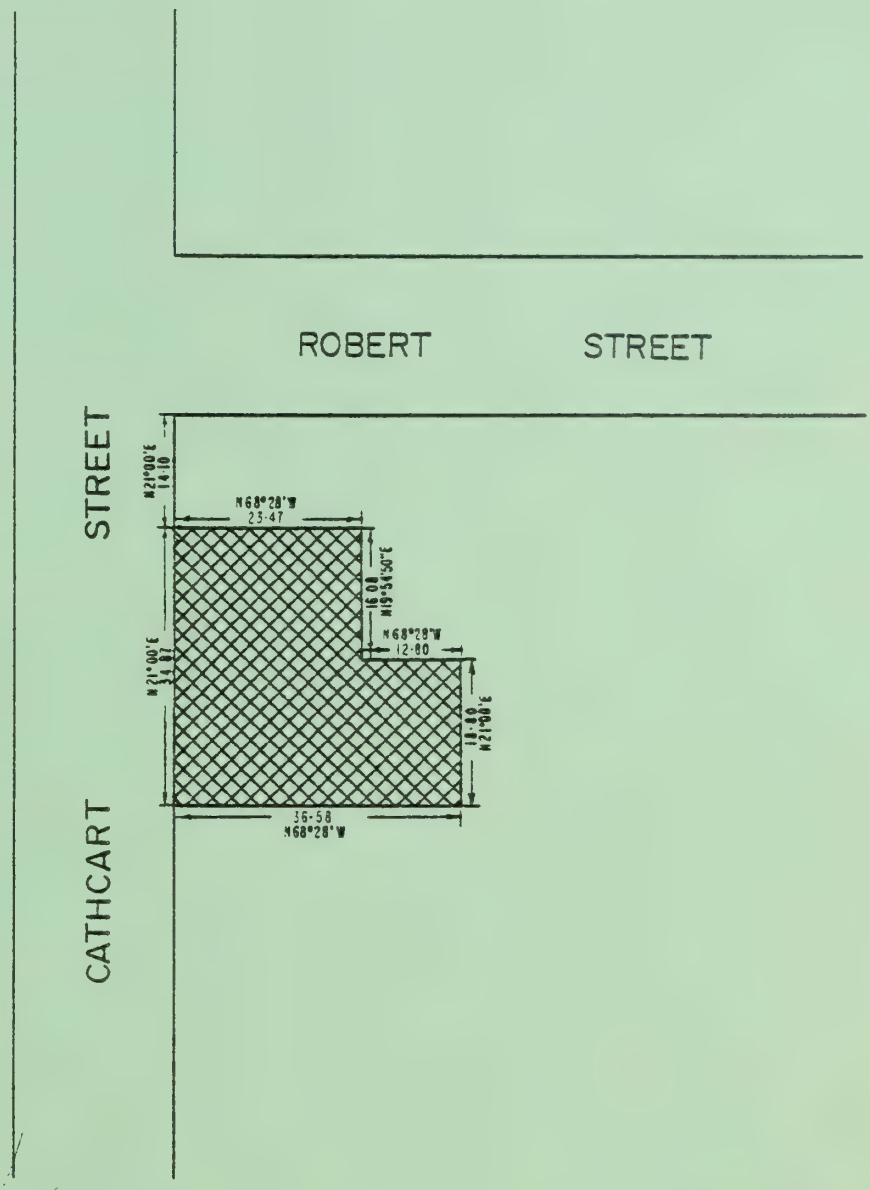
4. Sheet No. E-3 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-858".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 5 R.P.D.C. 2, March 27
Netherlee Investments, Ron Lee, In Trust,
Prospective Owner
ZA-83-73



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO. 34-

TO AMEND BY-LAW NO 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY-LAW NO.84-

North	Scale	Reference File No.
	N. T. S	CA 83-73
	Date	Drawing No.
	MAR. 5,1983	

Bill No. D-56

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 126 to 132 CATHCART STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

70. Land located at Municipal Nos. 126 to 132 Cathcart Street, shown on Appendix 70 hereto annexed and forming part of this by-law.

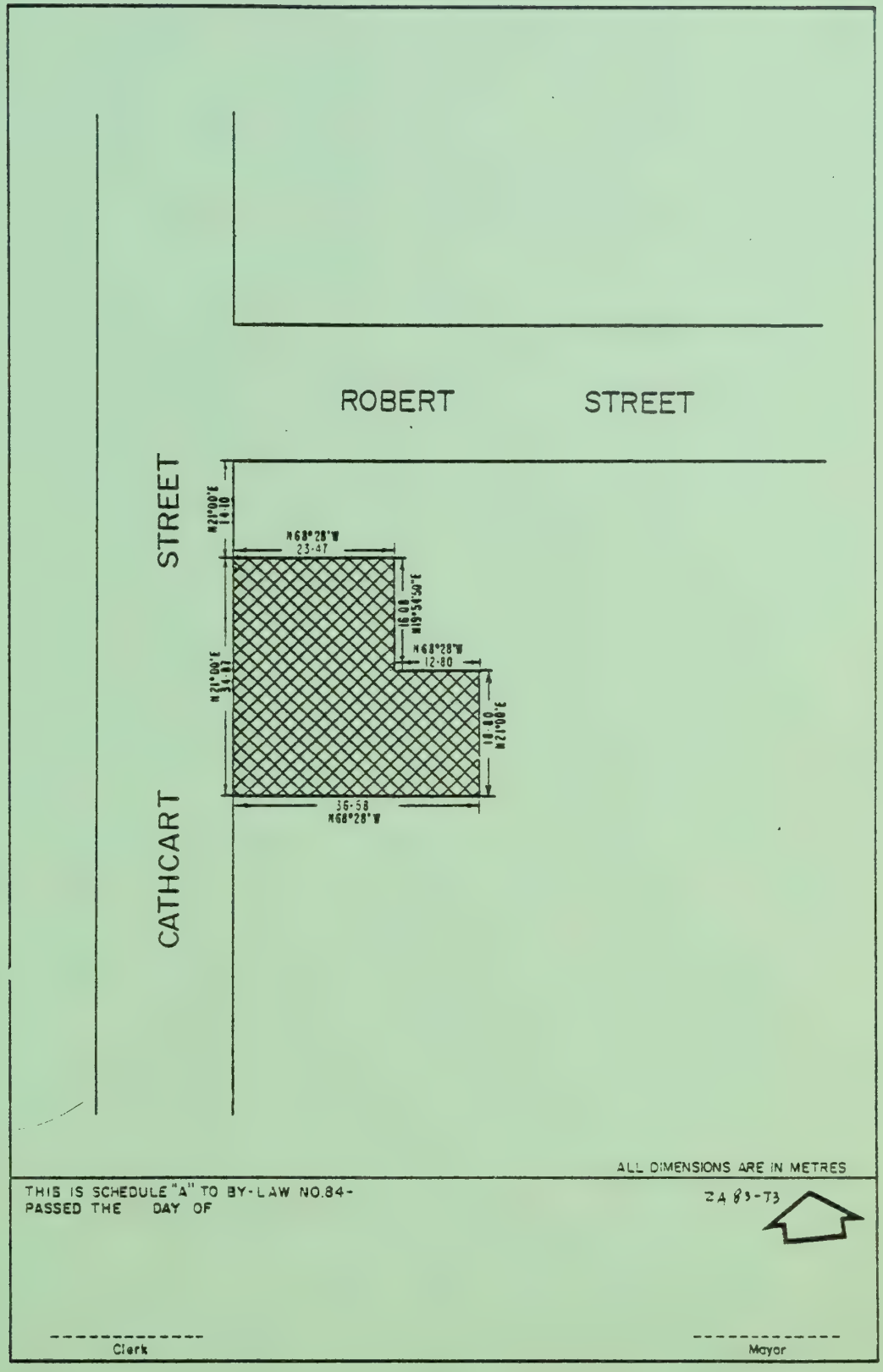
2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 70.

PASSED this day of A.D. 1984.

City Clerk

Mayor

(1984) 5 R.P.D.C. 2(b), March 27



L E G E N D

Lands designated under this by-law as an area of Site Plan Control pursuant to Section 40 of The Planning Act.

Appendix 70 to By-law No. 79-275.

Bill No. D-57

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 75-178

Respecting:

LAND LOCATED AT THE SOUTH-EAST CORNER OF UPPER OTTAWA STREET AND LARCH STREET

WHEREAS The Ontario Municipal Board in its Decision dated July 27, 1976, (R 752514), provided as follows:

> "We will approve By-law 75-178 with the exception of Section 2 thereof and any references pertaining to Section 2 in the by-law. We will reserve our decision with respect to Section 2 until such time as the City Council has finally dealt with the question of extending its by-law controlling the hours of operation of automobile service stations and related uses in proximity to residential areas in parts of the City of Hamilton where such by-law has not been put into effect. We do not presume to make any recommendations as to what form that by-law should take and we wish to leave the various parties to this application free to make whatever representations they think appropriate to the City Council on the matter. Should the Council decide for some reason that it is premature to extend such control over the area in which the subject lands are situated, then any of the parties may apply to the Board for a resumption of this hearing in order to bring forth additional evidence and make further submissions."

AND WHEREAS a hearing was resumed on the 6th day of February, 1984;

AND WHEREAS the Ontario Municipal Board in its written Decision of February 6, 1984, as set out in the Board's Hearing Record, provided as follows:

> "Section 2 and any references relating to Section 2, of B/L 75-178 will be approved when such Section is amended to restrict the use to a gas bar-type use and prohibits vehicular access from Larch Street into the gas bar lands. Such amending By-law will be approved without further notice or hearing.
>
> No Order shall issue until the Board is advised that:
>
> 1) the Company has enforceably undertaken to the City to limit hours of operation from 6 a.m. to 12 midnight, and
>
> 2) the Company has entered into a Section 40 site plan control agreement with the City, duly registered on title, such agreement to reflect Exhibits 22 and 24 and to provide for perimeter berming as described by Mr. Shortis."

AND WHEREAS it is intended herein to amend By-law No. 75-178 in accordance with the Board's Decision;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2 of By-law No. 75-178 is repealed and the following substituted in lieu thereof:

2. The "G" District provisions applicable to the lands in Blocks 1 and 2 are amended to the extent only of the special requirements that,

(a) a gasoline bar shall be permitted consisting of one or more pump islands each containing one or more gasoline pumps or other fuel dispensing equipment, where only gasoline, motor fuels, motor oils and small accessories required for the operation of motor vehicles are sold or offered for sale and no other automobile servicing is offered;

(b) a pylon sign may be erected and shall be located not less than 15 feet from the lot line;

(c) no land comprised in Block 2 adjacent to Larch Street shall be used for egress from and access to Larch Street.

2. Section 5 of the said by-law is amended by striking out "Section 1" in the second line and substituting in lieu thereof, "sections 1 and 2".

3. (1) By-law No. 6593 is amended by adding this by-law to Section 19B as "S-413a".

(2) Sheet No. E.59a of the District Maps is amended by marking the lands shown on schedule "A" to By-law No. 75-178 as Blocks 1 and 2, "S-413a".

PASSED this day of A.D. 1984.

City Clerk Mayor

Decision of the Ontario Municipal Board,
February 6, 1984

Bill No. D-58

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED IN THE AREA EAST OF UPPER SHERMAN AVENUE AND SOUTH OF THE PROPOSED MOUNTAIN FREEWAY

WHEREAS it is intended to change the zoning of the lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38B of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), is amended,

(a) by changing from **"AA"** (Agricultural) district and **"D"** (Urban Protected Residential - One and Two Family Dwellings, etc.) district to **"R-4"** (Small Lot Single-Family Detached) district, the land,

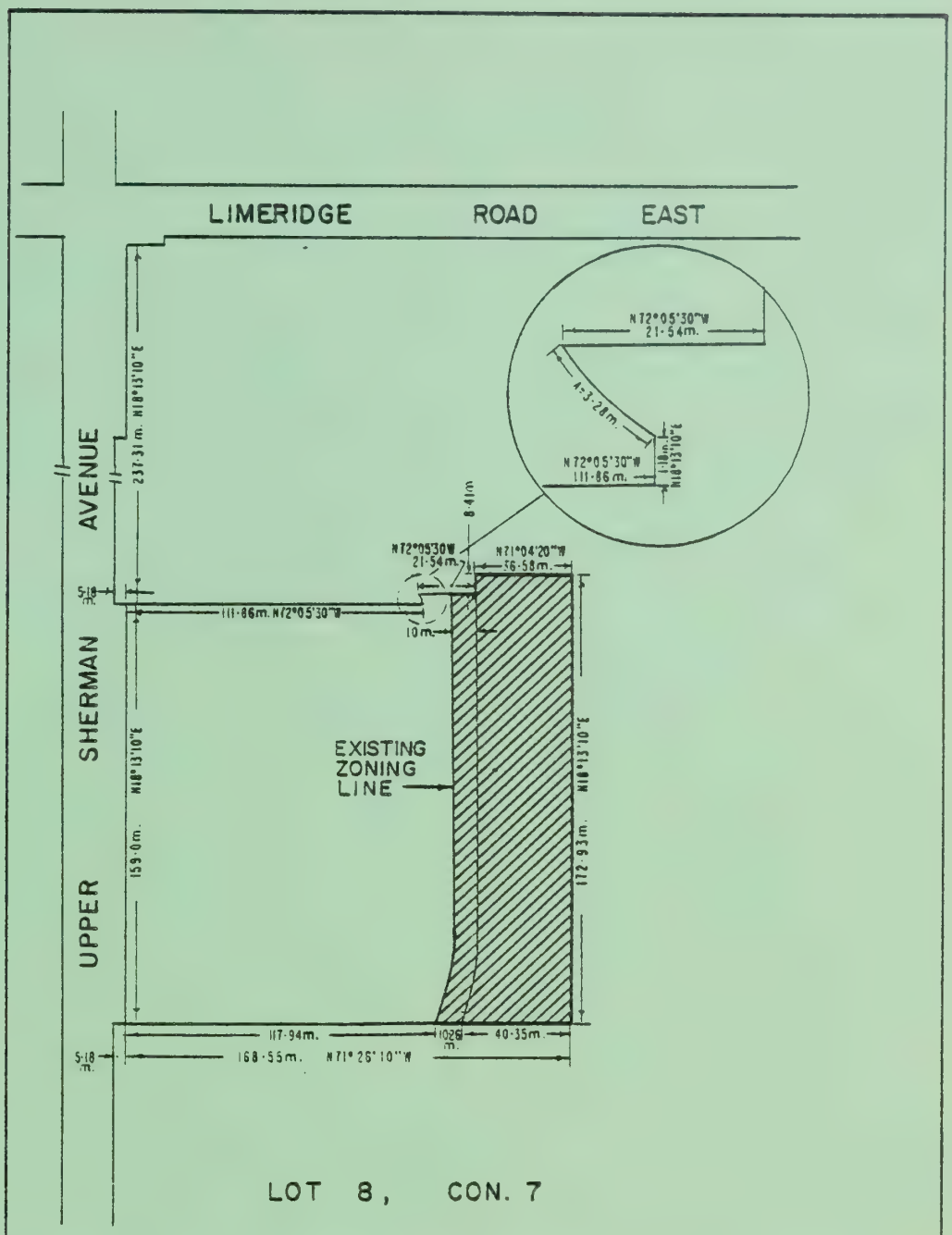
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 5 R.P.D.C. 1, March 27
Adorn Investments Limited, Owner
ZA-84-03



THIS IS SCHEDULE "A" TO BY-LAW NO. 84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 84-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "AA" (AGRICULTURAL DISTRICT, AND "D" (URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLING, ETC.) DISTRICT TO "R-4" (SMALL LOT SINGLE FAMILY DETACHED) DISTRICT

North	Scale	Reference File No.
	1:2000	ZA 84-03
	Date MAR. 30, 983	Drawing No.

Bill No. D-59

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 41 and 45 CATHCART STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 10(1) of By-law No. 6593, a residential care facility for the accommodation of not more than 16 residents shall be permitted in the existing building;

(b) an outdoor amenity area not less than 205 m^2 shall be provided and maintained on the lot;

(c) a visual barrier not less than 1.2 metres and not more than 2.0 metres in height shall be provided and maintained along the northerly and westerly lot lines and adjacent to the outdoor amenity area;

(d) notwithstanding subsection 18A(1) of By-law No. 6593, not less than 4 off-street parking spaces shall be provided and maintained on the lot.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-861".

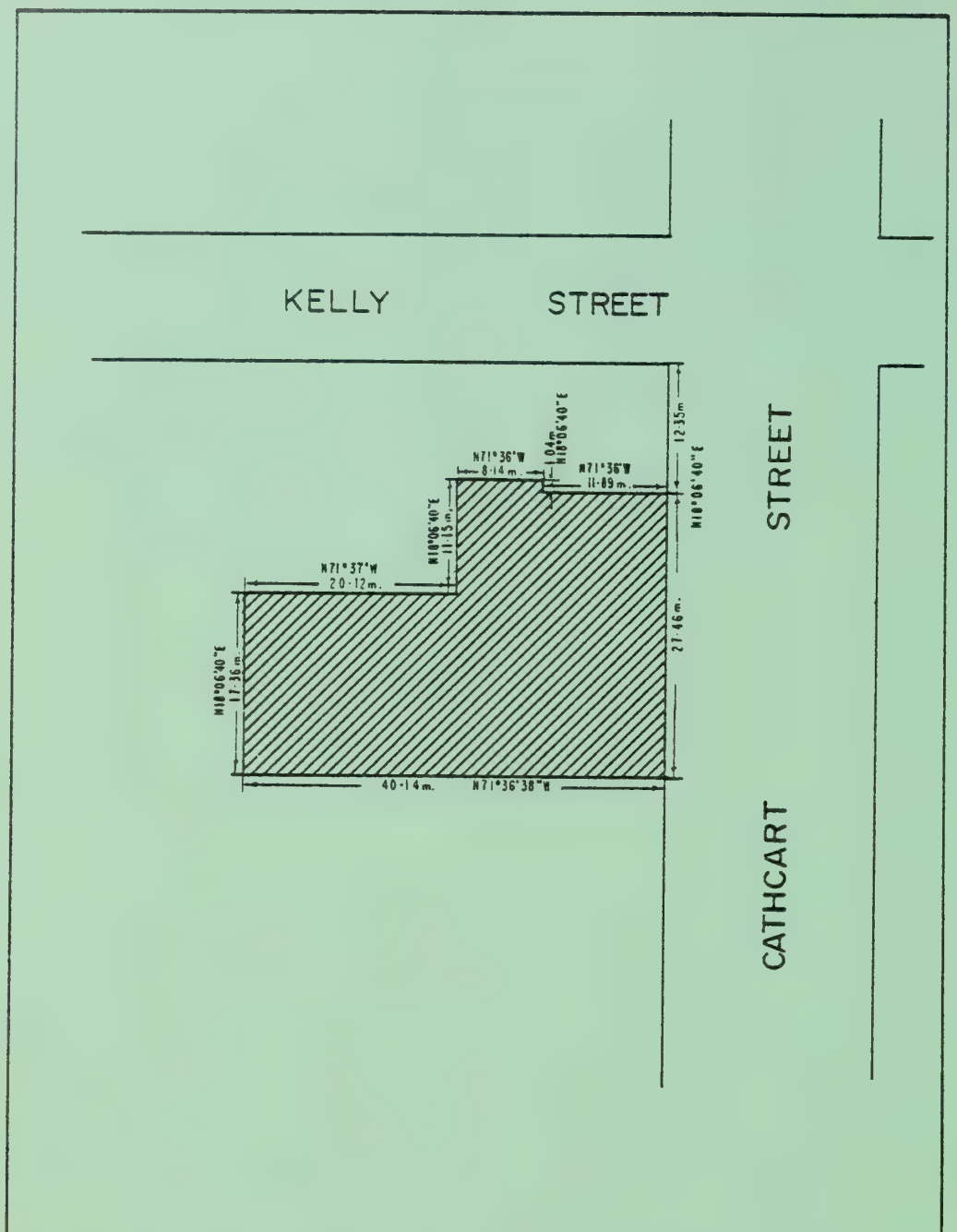
4. Sheet No. E-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-861".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 5 R.P.D.C. 3(b), March 27
A. J. Wheatle, Prospective Owner
ZA-83-66



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 84-
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY-LAW NO. 84-

North	Scale	Reference File No.
	1:500	ZA 83-66
	Date APR.4, 1984	Drawing No.

Bill No. D-60

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 41 and 45 CATHCART STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

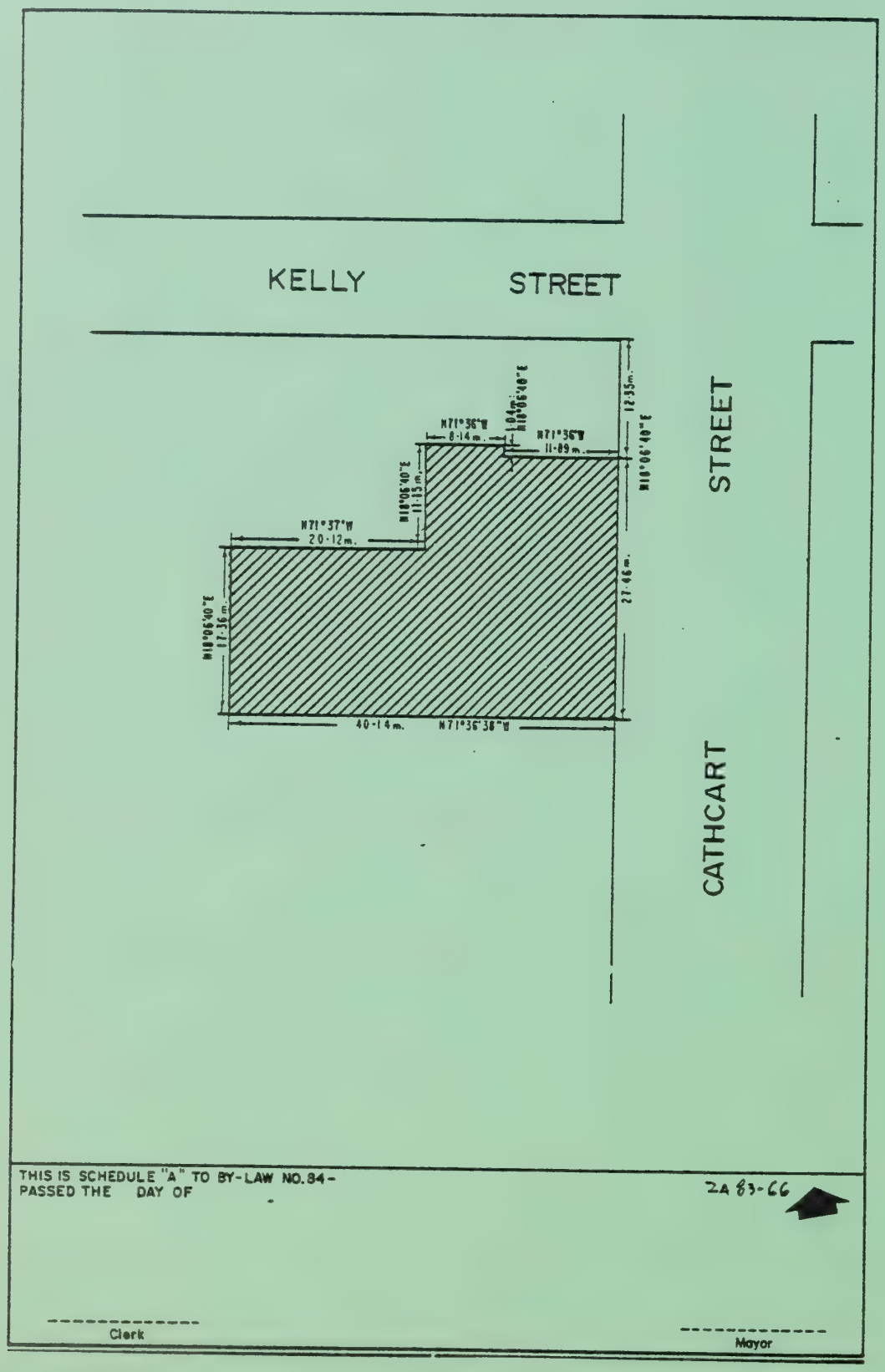
   72. Land located at Municipal Nos. 41 and 45 Cathcart Street, shown on Appendix 72 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 72.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 5 R.P.D.C. 3(c), March 27
A. J. Wheatle, Prospective Owner
ZA-83-66



THIS IS SCHEDULE "A" TO BY-LAW NO. 84-
PASSED THE DAY OF

ZA 83-66

Clerk

Mayor

LEGEND

Lands designated under this by-law as an area of Site Plan Control pursuant to Section 40 of The Planning Act.

Appendix 72 to By-law No. 79-275.

Bill No. D-61

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Adopt:

Official Plan Amendment No. 15

Respecting:

NEW POLICIES IN THE OFFICIAL PLAN UNDER THE NEW PLANNING ACT, 1983

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 15 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 8 R.P.D.C. 4, April 24

AMENDMENT NO. 15 TO THE CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule 'H' hereto, constitutes Amendment No. 15.

PURPOSE

To incorporate a number of new policies in the Official Plan as necessitated by the new Planning Act.

BASIS

The new Planning Act, which came into effect August 1, 1983, requires that if a municipality wishes to utilize certain provisions under the Act, then appropriate policies must be incorporated in the Official Plan. These provisions include: Alternative Notice Procedures; Community Improvement Plans; Holding By-laws; Bonus By-laws and Site Plan Control.

Given that:

- many of these planning measures have been utilized by the City, prior to the new Planning Act without corresponding Official Plan policy; and,
- it is Council's intent to continue utilizing these measures under the new Act;

therefore, it is appropriate to amend the City's Official Plan.

The new Act also contains provisions relating to Interim Control and Temporary Use By-laws. While these two provisions do not require corresponding Official Plan policy, it is appropriate to incorporate such policies in the Plan to identify Council's intent to utilize them as required.

ACTUAL CHANGES

A) The following new Subsection D9 to be added to Section 'D' Implementation:

"D9 Notification and Public Participation Procedure

It is intended that all proposed Amendments to this Plan and the Zoning By-Law will be subject to a formal NOTIFICATION AND PUBLIC PARTICIPATION PROCEDURE. Further, in the preparation of Community Improvement Plans and Amendments thereto, the same PROCEDURE will be followed.

Accordingly, such a PROCEDURE will define the method of informing and obtaining public input to ensure that any proposed Amendment is responsive to municipal and public concerns.

It is intended that the PROCEDURE established in this Subsection of the Plan will replace all relevant sections of the Planning Act, and its implementing regulations, as they apply to public notice and input. The requirements of the Planning Act for amendments to the Official Plan, the Zoning By-law and Community Improvement Plans and Amendments thereto, will apply unless the PROCEDURES herein are met. The City of Hamilton is exercising the opportunity afforded by the Planning Act to establish an alternative PROCEDURE.

9.1 In considering the merits of any proposed Amendment to this Plan or Zoning By-Law, as a result of a specific application or special study, and in the preparation of a Community Improvement Plan and Amendments thereto, the Planning and Development Committee, on behalf of Council (in accordance with the Municipal Act), will notify, inform, and seek the input of all interested citizens. Accordingly, this Committee will be guided by the following PROCEDURE OF NOTIFICATION AND PUBLIC PARTICIPATION:

i) To inform and secure input from the public on the particulars of a proposal, the Planning and Development Committee will hold one or more public meeting(s). Further, depending on the nature and extent of a proposal, the Committee may also choose to:

a) convene open house (s);
b) have public displays;
c) hold workshops or seminars; or,
d) utilize other means considered appropriate to inform and secure public input.

In all cases, the appropriate staff will be available to assist and receive comments from the public during normal business hours on any matter where public notice has been given.

ii) NOTIFICATION of such meeting(s) will be given to the public at least 17 days prior to the date of the meeting(s) and will be given either by:

a) publication in a newspaper that is, in the Clerk's opinion, of sufficiently general circulation in the area to which the proposal would apply; and/or,

b) personal service or prepaid first-class mail, to every owner of land

- in the area to which the proposal would apply; and,

- within 120 metres of the area to which the proposal would apply,

as shown on the last revised assessment roll of the municipality, at the address shown on the roll, but, where the Clerk has received written notice of a change of ownership or occupancy of land, notice shall be given to the new owner or occupant as the case may be at the address set out in the written notice; and/or,

c) by posting a notice of the meeting, clearly visiable and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the proposed change would apply, or, where posting on the property is impractical, at a nearby location chosen by the Clerk; and,

d) personal service or prepaid first-class mail to every person and agency that has given the Clerk a written request for such notice in respect of the proposed official plan and zoning by-law amendments, Community Improvement Plans and amendments.

iii) in all instances, Council decisions will take place a minimum of 30 days from the time NOTIFICATION is first given.

9.2 Amendments proposed to this Plan and/or Zoning By-Law and Community Improvement Plans and Amendments, due to the Neighbourhood Plan process, as set out in Subsection D.2 (Planning Units and Neighbourhood Plans) will be subject to public review concurrently with the Neighbourhood Plan. Accordingly, the public meeting(s) for the Neighbourhood Plan will be used to inform and seek public input on any associated Amendment(s). In this regard, the NOTIFICATION PROCEDURE, detailed in Policy 9.1 above, will be followed for such Neighbourhood Plan meetings.

9.3 Notwithstanding Policy 9.1 above, where a proposed Amendment to the Zoning By-Law conforms to and implements this Plan and the Council approved Neighbourhood Plan, Council will circulate the Zoning By-Law in accordance with the Planning Act and if there are objections may direct Planning Committee to hold a public meeting. In all instances, such Zoning By-laws will be forwarded to the Ontario Municipal Board for final approval.

9.4 Notwithstanding Policy 9.1 above, a public meeting will not be held where any Amendment is considered minor in nature. Minor Amendments will be for format changes, typographical errors, grammatical errors, or where a by-law amends a by-law to express a word, term, or measurement in the by-law in a unit of measurement in accordance with the Weights and Measures Act."

B) The following new Subsection D.10 be added to Section 'D' Implementation:

"Community Improvement

It is the general intent of the Plan to promote the ongoing maintenance of the established areas of residences and work in the City through COMMUNITY IMPROVEMENT. Accordingly, it is intended that COMMUNITY IMPROVEMENT be achieved by means of the conservation, rehabilitation or redevelopment of areas characterized by obsolete buildings, and/or conflicting land uses and/or inadequate levels of Engineering and Community Services.

It is thus necessary to provide the framework to co-ordinate public and individual initiatives to effectively utilize the funding programs available from senior levels of government for COMMUNITY IMPROVEMENT. To this end, it is further intended that COMMUNITY IMPROVEMENT Project Areas, be identified and appropriate strategies for their revitalization be detailed through COMMUNITY IMPROVEMENT Plans.

10.1 It is the intent of Council that the COMMUNITY IMPROVEMENT AREAS as shown on Schedule "H" may be designated, in whole or part, by by-law, as COMMUNITY IMPROVEMENTS Project Areas, for which detailed COMMUNITY IMPROVEMENT Plans will be prepared.

10.2 Council will utilize the following criteria to identify and delineate COMMUNITY IMPROVEMENT Project Areas:

i) Older, predominantly Residential areas, which are potentially stable and have some of the following:

a) a significant portion of the housing stock in need of rehabilitation;

b) inadequate Engineering Services such as: sewers and water mains; roads and streets; curbs and sidewalks; and street lighting and utilities;

c) inadequate Community Services such as public indoor/outdoor recreational facilities; public open space; and public social facilities;

d) encroachment of non-residential uses; and,

e) inadequate parking facilities.

ii) Older, predominantly Commercial areas, which are potentially stable and have some of the following:

a) a significant portion of the building stock in need of rehabilitation;

b) inadequate Engineering Services such as: roads, sewers and water mains, street lighting;

c) poor overall visual amenity of the area,

d) existing or potential for a Business Improvement Area designation; and,

e) inadequate parking facilities.

iii) Older, predominantly Industrial areas, which are potentially stable and have some of the following:

a) inadequate engineering servies;

b) inadequate road access and traffic circulation;

c) shortage of land to accomodate building expansion and/or parking and loading facilities;

d) encroachment of non-industrial uses; and,

e) building and/or property deterioration.

10.3 Council will determine the sequences in which designated COMMUNITY IMPROVEMENT Project Areas will have individual COMMUNITY IMPROVEMENT Plans prepared. In this manner, limited public funding assistance will be directed to those Areas with critical deficiencies.

10.4 The COMMUNITY IMPROVEMENT Plan will function to co-ordinate individual initiatives to improve properties with municipal actions to improve Engineering and Community Services. Accordingly, COMMUNITY IMPROVEMENT Plans will define which of the following measures amongst others will apply in the affected COMMUNITY IMPROVEMENT Project Areas.

i) use of appropriate funding programs;

ii) acquisition of land where necessary in keeping with Subsection D.5 of this Plan;

iii) enforcement of a property standards by-law in keeping with Subsection C.5 of this Plan;

iv) consideration of more flexible zoning including bonus zoning provisions, where it will support the COMMUNITY IMPROVEMENT objectives.

v) encouragement of infill and rehabilitation where feasible;

vi) promotion of historical preservation through the appropriate Provincial and Federal legislation in keeping with Subsection C.6 of this Plan;

vii) promotion of the viability of commercial areas through such means as the establishment of Business Improvement Areas.

10.5 In the preparation of a COMMUNITY IMPROVEMENT Plan, Council will solicit the input of affected residents, property owners and other interested groups in keeping with the notice and Public Participation Procedure, as set out in Subsection D.9 of this Plan. COMMUNITY IMPROVEMENT Plans and amendments thereto will be adopted by Council.

10.6 When Council is satisfied that the COMMUNITY IMPROVEMENT Plan has been carried out, Council may, by by-law, dissolve the COMMUNITY IMPROVEMENT Project Area."

C) A new Schedule 'H', "Community Improvement Areas", as attached, be incorporated into the Official Plan.

D) The following changes be made to Subsection D.3 Zoning By-Law:

i) add the following to the title "AND SITE PLAN CONTROL"

ii) delete the preamble of the Subsection (in italics) and replace with the following:

"It is intended that the principal means of implementing this Plan and regulating land use will be by ZONING BY-LAW and SITE PLAN CONTROL. Accordingly, Amendments to the ZONING BY-LAW will be introduced for the purposes of conformity. It is intended that land not be prezoned in order that the SITE PLAN and other details will be previewed prior to development going ahead. In this matter, amenity and design, population density, public works' requirements, environmental concerns, and all other related policies of this Plan, or any Neighbourhood Plan, may be reviewed and appropriate ZONING regulations applied."

iii) delete the last sentence in Policy 3.1;

iv) renumber Policy 3.3 to Policy 3.4 and add the following at the beginning: "Further to Policy 3.3 above,..."

v) add a new Policy 3.3 as follows:

"Council, where deemed appropriate, will apply the holding provision of the ZONING BY-LAW, pursuant to the Planning Act, to specify the ultimate use of those lands which are contemplated for development or redevelopment at some time in the future. Thereby, Council will be able to preview proposals prior to development or redevelopment to ensure that it is compatible with surrounding land uses. The holding provision of the ZONING BY-LAW will be identified by the symbol "H" in the ZONING BY-LAW and applied under one or more of the following circumstances:

i) when land assembly is required to permit orderly development or redevelopment;

ii) if the level of Engineering and/or Community Services is not adequate to support the ultimate use;

iii) where environmental constraints currently preclude development or redevelopment without appropriate mitigative measures; and,

iv) where an area must undergo further study, or where a detailed design plan is required, as designated in this Plan, or as will be determined by an Amendment to this Plan from time to time."

vi) add a new Policy 3.5 as follows:

"In accordance with Subsections A.2.1, A.2.2, A.2.8.9, and A.2.9.3, Council may, where deemed appropriate, permit bonuses to increase the height and/or density of development or redevelopment than otherwise permitted in the ZONING BY-LAW, where the proponent of such an undertaking provides such facilities, services, and other matters as may be set out in the ZONING BY-LAW."

vii) add a new Policy 3.6 as follows:

"In accordance with the Planning Act, it is intended that SITE PLAN CONTROL measures be utilized, where appropriate, to minimize impacts of potentially incompatible uses, to maintain or enhance the existing character of an area, to ensure a safe and attractive environment, and to implement City and Regional standards.

Accordingly, the entire area within the corporate limits of the City of Hamilton will be a Proposed SITE PLAN CONTROL Area. While specific areas and uses where SITE PLAN CONTROL will apply will be established by BY-LAW, it is generally intended that the following areas will be exempted:

- low density residential;
- general and heavy industrial; and,
- conservation, open space, and agriculture.

However, in medium and high density residential areas, Council may require in accordance with the Planning Act, drawings showing plan, elevation and cross-section views for any building to be used for residential purposes of less than twenty-five (25) dwelling units."

viii) add a new Policy 3.7 as follows:

"In accordance with the Planning Act, Interim Control By-Laws may be used to limit the use of lands or buildings where Council has directed a study of land use planning policies in a defined area of the City. The provision of the Planning Act regarding timing, notice, and appeals of these By-laws will apply."

ix) add a new Policy 3.8 as follows:

"In accordance with the Planning Act, Temporary Use By-laws may be used to permit the use of lands, buildings, or structures, on a temporary basis, for any purpose as may be specified in the said By-law. The provisions of the Planning Act regarding timing and extensions to such By-laws will apply."

E) The following new Policy 2.1.16 be added to Subsection A.2.1:

"To enhance the quality of any high density RESIDENTIAL development, Council may, where deemed appropriate, permit additional density, where the proponent provides landscaped areas in excess of the Zoning By-law provisions in accordance with Subsection D.3 of this Plan."

F) The following new Policy 2.2.39 be added to Subsection A.2.2:

"To enhance the quality of any COMMERCIAL/RESIDENTIAL development, Council may, where deemed appropriate, permit additional Residential density where the proponent provides landscaped areas in excess of the Zoning By-law provisions, in accordance with Subsection D.3 of this Plan."

G) The following new Clause (vii) be added to Policy 2.8.9 in Subsection A.2.8:

> "Permit additional Residential density where the proponent provides landscaped areas in excess of the Zoning By-Law provisions to enhance the quality of a high density Residential and Commercial/Residential development in the CENTRAL POLICY AREA, in accordance with Subsection D.3 of this Plan."

H) The following new Clause (xiii) be added to Policy 2.9.3.1 in Subsection A.2.9.3:

> "To enhance the quality of a high density Residential and Commercial/Residential development, Council may, where deemed appropriate, permit additional Residential density, where the proponent provides landscaped areas in excess of the Zoning By-law provisions, in accordance with Subsection D.3 of the Plan."

I) The following changes be made to Policy 3.3.9 in Subsection B.3.3:

i) delete "Notwithstanding other policies in this Plan," and substitute "In accordance with the Planning Act and Subsection D.3 of this Plan,";

ii) delete Clause (iii) and substitute:

"The use of such vacant lands for temporary PARKING will not exceed three (3) years; and,"; and,

iii) delete the phrase "... or upon change in ownership, and, in either instance upon ..." and substitute "where".

Implementation

The provisions of Subsection 'D' Implementation of the City of Hamilton Official Plan, as amended, will apply to the implementation of this Amendment.

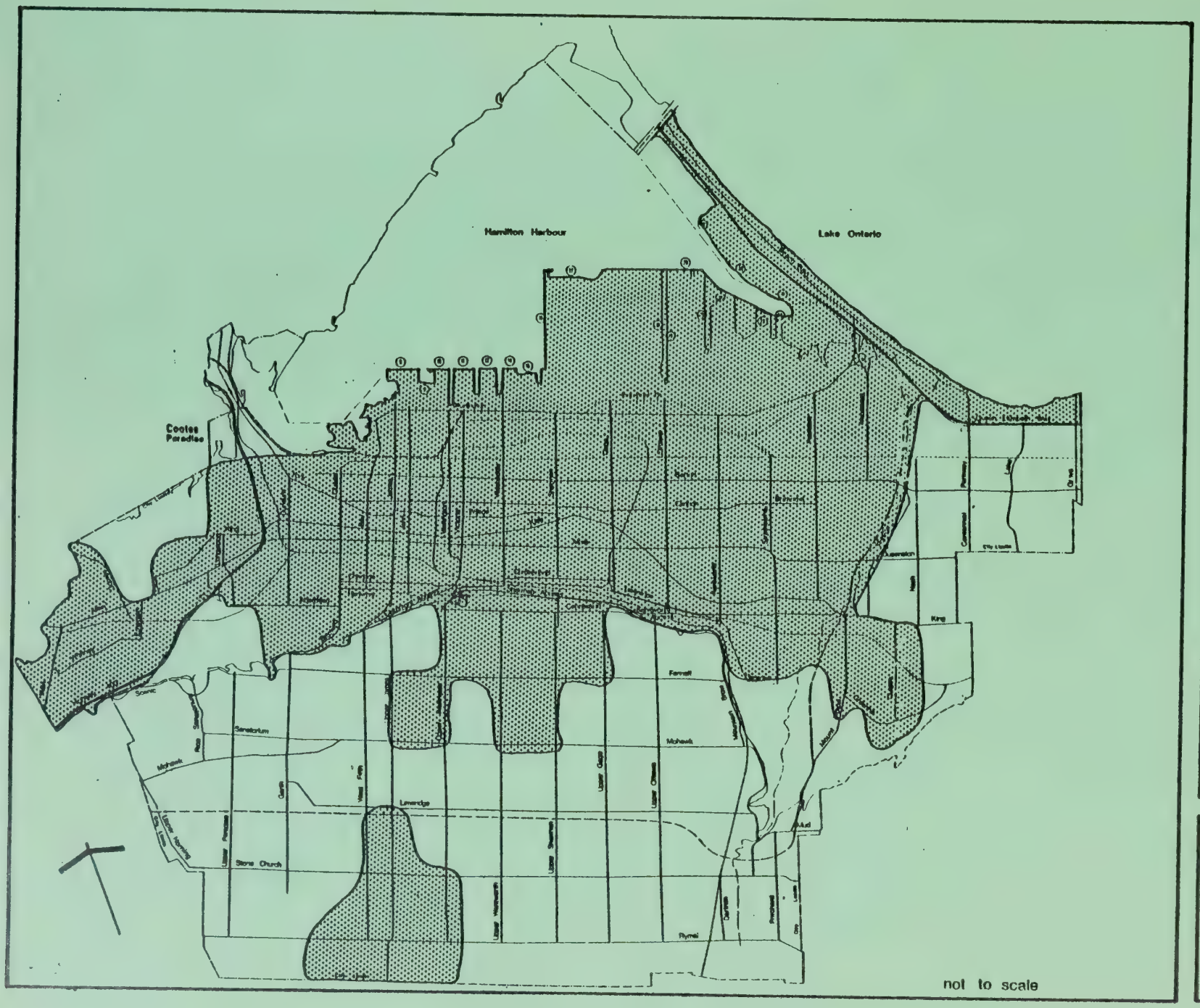
Bill No.

This is Schedule 1 to By-law No. 84-_____, passed on the _____ day of _____, A.D. 1984.

THE CORPORATION OF THE
CITY OF HAMILTON

_____
City Clerk

_____
Mayor



community improvement areas

legend

community improvement areas

J-46

schedule H

to the official plan for city of hamilton

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Bill No. D-62

BY-LAW NO. 84 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE Twenty-FourtDAY OF April A.D., 1984.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 1984

City Clerk Mayor

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, May 8, 1984
7:30 o'clock p.m.
Council Chambers
City Hall

AGENDA

1. Prayer
2. Minutes of Previous Meeting held April 24, 1984
3. (a) Petition Re: Market Subcommittee (no copy)

   (b) Letter from Mr. W. P. Fraleigh (no copy)

   (c) Correspondence Re: GO-ALRT (no copy)
4. Reports of Standing Committees - attached

   B Parks and Recreation Committee
   C Finance Committee
   D Planning and Development Committee
   E Legislation Committee
5. Notices of Motion for next meeting
6. First reading of Bills
7. Second reading of Bills - Committee of the Whole
8. Third reading of Bills
9. Question period
10. Adjournment

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **EIGHTH** Report for 1984 and respectfully recommends:-

1. Approval of the acquisition of the property at 42 Allan Avenue from Blair and Dorothy Eddy for the sum of $45,425.00. Offer to be accepted on or before May 15, 1984. Cash on closing of sale which shall be on or before June 15, 1984.

   NOTE: This property is required for parks and recreational purposes in connection with the development of the Homeside Priority One Park. Sufficient funds are available in Account 0408-C16096 to provide for this acquisition.

2. Approval of the awarding of the following contracts:-

   (a) **McCRACKEN GOLF SUPPLIES INC., Rexdale, Ontario**

   Supply and delivery of fertilizers in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:-

51 tonnes CIL Super Golf Green @ $573.36 per tonne	$29,241.00
18 tonnes CIL Super K @ $599.21 per tonne	$10,785.78
One (1) tonne CIL Professional 16-4-4 with Chlorthal @ $1,164.00 per tonne	$1,164.00
Three (3) tonnes CIL Rose and Flower Food @ $339.50 per tonne	$1,018.50
Total	$42,209.64

   NOTE: Lowest of four tenders received.

   This purchase was processed in accordance with the emergency procedures of the City's Purchasing Policy which provides for an order to be placed upon approval of two of either the Mayor, the Committee Chairman or the Chief Administrative Officer, and is at this time being reported to City Council for formal ratification.

(b) **JOHN CONNON NURSERIES LTD., Waterdown, Ontario**

Supply and delivery of various trees in accordance with specifications issued by the Director of Purchasing and Vendor's tender, for the sum of..... $39,964.50

NOTE: Lowest of twelve tenders received.

This purchase was processed in accordance with the emergency procedures of the City's Purchasing Policy which provides for an order to be placed upon approval of two of either the Mayor, the Committee Chairman or the Chief Administrative Officer, and is at this time being reported to City Council for formal ratification.

(c) **G. F. MASON EXCAVATING LTD., Fruitland, Ontario**

Supply and delivery of topsoil as follows:-

Shredded Manured Topsoil ..... $8.85 per yard

Shredded, Not Manured Topsoil..... $8.30 per yard

Regular Topsoil ..... $6.95 per yard

Sandy fill - Baseball Diamonds ..... $6.95 per yard

NOTE: Lowest of five quotations received.

(d) (i) **COMSTOCK INTERNATIONAL LTD., Burlington, Ontario**

To supply all labour, material and equipment necessary for the heating and ventilating systems for Dalewood Community Centre Swimming Pool, in accordance with specifications issued by the Director of Purchasing and Vendor's tender for the total sum of $160,762.00

(ii) That the Finance Committee be requested to recommend the method of financing the amount of $23,851.00 which is in excess of the authorized allocation for this project.

NOTE: Lowest of three tenders received.

The tender received from Comstock International Ltd. was in the amount of $172,762.00. As a result of negotiations with the consultants, Group Eight Engineering Ltd., and Comstock International Ltd. a savings of $12,000.00 was determined by changes which will not affect the overall efficiency of the system.

3. (a) That two typical private boxes be provided at the Victor K. Copps Trade Centre/Arena at an estimated cost, including furnishings, of $55,500.00 for the larger box (accommodating 14 persons) and $45,500.00 for the smaller box (accommodation 10 persons).

   (b) That Parkin Partnership, Architects, be retained to provide consulting services in the form of final drawing and specification preparation necessary for the construction of the two private box shells at a lump sum price of $6,000.00.

   (c) That upon completion of the drawings and specifications, Pigott Construction Ltd. be requested to submit a quote and, if satisfactory, same be added to the present contract with Pigott Construction Ltd.

   In the event the quotation received is not satisfactory, then the installation be tendered in the normal manner.

   (d) The Finance Committee be requested to recommend the method of financing the total estimated cost of $107,000.00.

4. That the Chairman and Vice Chairman of the Parks and Recreation Committee or their designates, be authorized to attend the Canadian Parks and Recreation Association Annual Conference to be held in the City of Kitchener, Ontario, August 12 - 15, 1984.

5. That the Chairman of the Parks and Recreation Committee, or his designate be authorized to attend the Ontario Municipal Recreation Association Annual Conference to be held in Collingwood, Ontario May 23 - 26, 1984.

6. (a) Approval of the construction of a Utility Building in Woodlawn Cemetery at an estimated cost of $220,000.00 as provided for in the 1984 portion of the 1984 - 1988 Capital Budget as Project No.342273;

   (b) That the City Architect be authorized and directed to prepare the necessary drawings and specifications for calling tenders for this project; and,

   (c) That the Finance Committee be requested to recommend the method of financing this expenditure.

7. With the adoption of Section 5 of the Eighteenth Report of the Parks and Recreation Committee, City Council, at its meeting on September 27/28 1983, approved a land exchange involving the City owned Lampman Farm on Highway 53 and "Allarco lands" north of Mohawk Road between Highway 403 and the City limits, both of which are situated in the Town of Ancaster, subject to a number of conditions one of which was that the Allarco Site, along with some adjacent residual Ministry lands, be designated and developed by the Ministry of Natural Resources as a Provincial Park, with development to commence within two years.

In considering this matter, the Ministry of Natural Resources requested clarification as to how the City intends to fund and manage the facility if developed by the Province.

In this regard the Committee recommends that, subject to there being no costs to the City of Hamilton or the Regional Municipality of Hamilton-Wentworth, now or at any time in the future, the City will support any arrangement necessary to allow for the Hamilton Region Conservation Authority to manage this facility, and further, that subject to the Conversation Authority agreeing to manage this facility, the Authority's staff be used on a full-year operational basis.

NOTE: Many Provincial Parks are staffed by the Ministry of Natural Resources for the months of July and August only. The Committee is of the opinion that this park should be operated on a year-round basis and that one authority only should be involved in the operation of same.

8. That permission be granted to the Ye Bonnie Doon Burns Club to erect a Cairn in Gage Park, honouring Robbie Burns.

   The actual location of same within Gage Park and plans for Cairn to be subject to the approval of the Director of Public Works.

9. (a) That a grant equal to 16 per cent of the total cost of refurbishing the track and field facilities at McMaster University or $100,000.00 whichever is the lesser, be made to McMaster University in 1985, to assist in defraying the cost of refurbishing the track and field facilities, subject to the following conditions:-

   (i) That a joint use agreement be entered into between McMaster University and the City, satisfactory to the Director of Culture and Recreation, to provide for the maximum community use of this facility.

   (ii) That, prior to commencement of the project, McMaster University confirm the total cost estimates and advise as to the method of financing the remaining costs which are estimated to be $500,000.00.

   (b) That the Finance Committee be requested to make provision in the Capital Budget Estimates to provide for this expenditure in 1985.

   NOTE: McMaster University has advised that while it will be a major contributor to this venture, other track users will be solicited for their contributions as well as other private funding sources.

10. Approval of the application by Mr. Jack E. Robillard, owner of the Brantford Alexanders Major "A" Hockey Club to utilize the Mountain Arena for Home Games during the 1984-85 Season, subject to the following conditions:-

    (i) Rental rate of $210.00 minimum or 15 per cent of the gross gate receipts, whichever is greater, plus the cost of casual labour, (ticket takers, security) and uniformed police officers as deemed necessary by the City;

(ii) That the Hockey Club assume responsibility for the costs associated with the printing of reserved tickets as required, renovating or refurbishing designated dressing room/storage space as required by the Club and approved by the City.

NOTE: Previously forwarded to the Members of City Council were copies of a report from the Director of Culture and Recreation dated April 26, 1984 to the Parks and Recreation Committee, setting forth the implications in the scheduling of the facility in accommodating the Hockey Club at the Mountain Arena for the 1984-1985 Season.

Respectfully submitted

ALDERMAN B. HINKLEY, CHAIRMAN
PARKS & RECREATION COMMITTEE

J. J. Schatz, Secretary
April 26, 1984
JJS:bg

C

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **NINTH** Report for 1984 and respectfully recommends:

1. (a) That the policy of providing annually a capital levy of at least five mills in the Current Estimates for capital purposes be continued.

   (b) That the provision of a one mill special levy be provided in the Estimates of 1984 and 1985 for the Victor K. Copps Trade Centre/Arena, as approved by City Council.

   (c) That the debt charges will not exceed 15 % of the estimated adjusted municipal levy for this Capital Budget.

   (d) That every consideration be given to continuing with a "Pay-As-You-Go" policy for capital projects, where applicable.

   (e) That consideration be given to continue the policy established in 1982 that any unexpended portion of the municipal contribution to a Local Board be placed in a reserve for capital projects for that Board. This policy to be continued in 1984 and subsequent years to the extent that only adequate reserves are accumulated by the Board (as opposed to excessive reserves) and beyond this point such funds may be allocated to other areas requiring Local Board funding including any annual shortfall (amount required in excess of the municipal contribution).

   (f) That the employment impact of each project be given consideration.

   (g) That the Capital Budget Programme be endorsed and submitted for approval by the Ontario Municipal Board, through the Regional Council.

   NOTE: Copies of the 1984-1988 Capital Budget were previously forwarded to the Members of City Council. Additional copies can be obtained by contacting the City Treasurer, or the Secretary, Finance Committee.

2. (a) That a $9,000.00 grant be made to **First Place, Hamilton,** to assist this organization in defraying costs associated with the operation of a Seniors' Centre. This expenditure to be financed by a transfer from Contingency Account No.0378-1198.

   (b) That consideration be given in future years to City funding not to exceed 20 % of the annual approved Operating Budget for a Seniors' Centre, with such funding being contingent upon **First Place, Hamilton** being established as an approved Corporation under the Elderly Persons' Centres Act, Ontario.

3. (a) That a $2,000.00 Grant be made to **Ensemble Sir Ernest MacMillan** to assist this organization in defraying costs associated with its Operating Expenses; and further, that this organization be placed in Grants Category No.1 (Inflation Provision).

   (b) This Grant to be financed by a transfer from Contingency Account No.0378-1198.

4. Settlement of the following claim:-

   "By County Court Writ issued November 8, 1983, Camilla Lewis commenced action for personal injuries she suffered when she fell on a City sidewalk. It is recommended that her claim be settled in the amount of $2,100.00 inclusive of interest and costs."

5. Section 6 of the Eighth Report of the Parks and Recreation Committee deals with the construction of a Utility Building in Woodlawn Cemetery and requests the Finance Committee to recommend the method of financing.

   In this regard, the Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval of the proposed Utility Building at a total estimated cost of $220,000.00 and for authority to finance this project by the issuance of debentures in the same amount for a period not to exceed twenty (20) years; and further, that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of $220,000.00 for a term not to exceed twenty (20) years.

6. Section 3 of the Eighth Report of the Parks and Recreation Committee deals with the construction of private boxes at the Victor K. Copps Trade Centre/Arena and requests the Finance Committee to recommend the method of financing the costs involved.

   In this regard the Committee recommends that the total estimated cost of $107,000.00 for the construction of the two private boxes in the Victor K. Copps Trade Centre/Arena be financed from deferred Accounts Receivable (Account #0227) during the term of this Council, and in the event these funds have not been fully recovered by the end of this Council Term (November 30, 1985) an alternative method of financing be determined.

7. (a) That the City's relationship with the Metropolitan Hamilton Real Estate Board be upgraded to insure continuance of existing services and to permit marketing of selected City and Regional properties through the Board's Multiple Listing facilities.

   (b) That the Real Estate Department be authorized to pay the prescribed annual membership dues of $500.00 to the said Metropolitan Hamilton Real Estate Board, said amount being an increase of $300.00 over former dues, and presently budgeted for.

(c) That the Mayor and City Clerk be authorized to execute an "Agreement of Membership", already executed by the Metropolitan Hamilton Real Estate Board Directorate on January 26, 1984, subject to approval by the City Solicitor of the form of documentation.

8. (a) Approval of Project No.34505 - Construction - Accommodation Requirements - City Hall - in the amount of $100,000.00, as provided for in the 1984 Portion of the 1984-1988 Capital Budget.

(b) That this Project be financed from the Reserve for Capital Projects Account No.0280-27.

(c) (i) That approximately one-half of the existing Traffic Department be relocated into that portion of the Treasury Department as shown cross-hatched on the attached plan marked APPENDIX "A".

(ii) That the areas being vacated by the Traffic Department be utilized by the Systems Division of the Treasury Department.

(d) That the City Architect be authorized and directed to prepare all necessary plans and to undertake the necessary renovations as soon as possible.

(e) That the City Architect be authorized and directed to investigate the feasibility of constructing an addition at the rear of City Hall to provide for additional space requirements.

(f) That an approach be made to the Regional Municipality of Hamilton-Wentworth to determine as to whether or not it is interested in relocating in the new addition if constructed.

(g) That the Capital Budget Committee be advised of the proposed addition and be requested to make provision for this expenditure at such time as cost estimates are available.

9. That the City Solicitor be authorized and directed to prepare a By-law to Authorize the Mayor and City Clerk to Execute an Agreement with the Province of Ontario whereby the Ministry of Municipal Affairs and Housing agrees to contribute to the actual cost of the Municipal Action '85 Employee Assistance Programme, the sum of $29,375.00.

10. Approval of the awarding of the following contracts:-

(a) **GREAT NORTHERN INDUSTRIES, LTD., Burlington, Ontario**

Supply and installation of polyurethane insulation at the Brampton Street Quonset Hut in accordance with the specifications issued by the Director of Purchasing and the Vendor's quotation for the total sum **including all charges** of $15,725.00

NOTE: Lowest of four quotations received.

(b) **INTERNATIONAL BUSINESS MACHINES CANADA LTD., Hamilton, Ontario**

For the rental charges of various computer programs including those used for the Hamilton Public Library for a total of $150,459.00

11. (a) That in accordance with Section 8 of the Ninth Report of the Parks and Recreation Committee, adopted by City Council on April 13, 1982, the amount of $15,000.00 received from **Imperial Tobacco Co. Limited** ($7,000.00 in 1981 and $8,000.00 in 1982) for the right to have and maintain Sports Timers in Ivor Wynne and Bernie Arbour Stadia, be made available to the Parks Division, Department of Public Works, for the purchase and erection of Sports Timers in other City Parks.

(b) That this expenditure in the amount of $15,000.00 be financed from the Reserve for Contingency.

12. That the estimated cost of $51,000.00 for the proposed First Aid Room be financed from the Reserve for Capital Projects Account No.0280-27.

13. Subsection (d) of Section 2 of the Eighth Report of the Parks and Recreation Committee deals with the awarding of a contract for renovations to the Heating and Ventilating System at the Dalewood Recreation Centre, and requests the Finance Committee to recommend the method of financing the amount which is in excess of the authorized allocation for this project.

In this regard the Committee recommends that the increased cost of $24,000.00 for Heating, Ventilating and Acoustic renovations at the Dalewood Recreation Centre, which will increase the portion of this project included in the 1984-1988 Capital Budget from $110,000.00 to $134,000.00, be financed from the 1984 Capital Levy.

14. That Mr. I. R. Hammel assume the responsibilities of the City Treasurer in the absence of the Treasurer, and that the City Solicitor be authorized and directed to prepare the appropriate By-law.

15. The Finance Committee advises of the receipt of the Financial Report of the City of Hamilton for the year 1983 as prepared by the City Treasury Department and approved by MacGillivray & Co., the City's appointed auditors.

Copies of the Report were previously forwarded to the members of City Council and its adoption is recommended by the Finance Committee.

NOTE: Additional copies of the Report, if required, may be obtained by contacting the Secretary of the Finance Committee.

16. That leave be granted to introduce the following Bills:

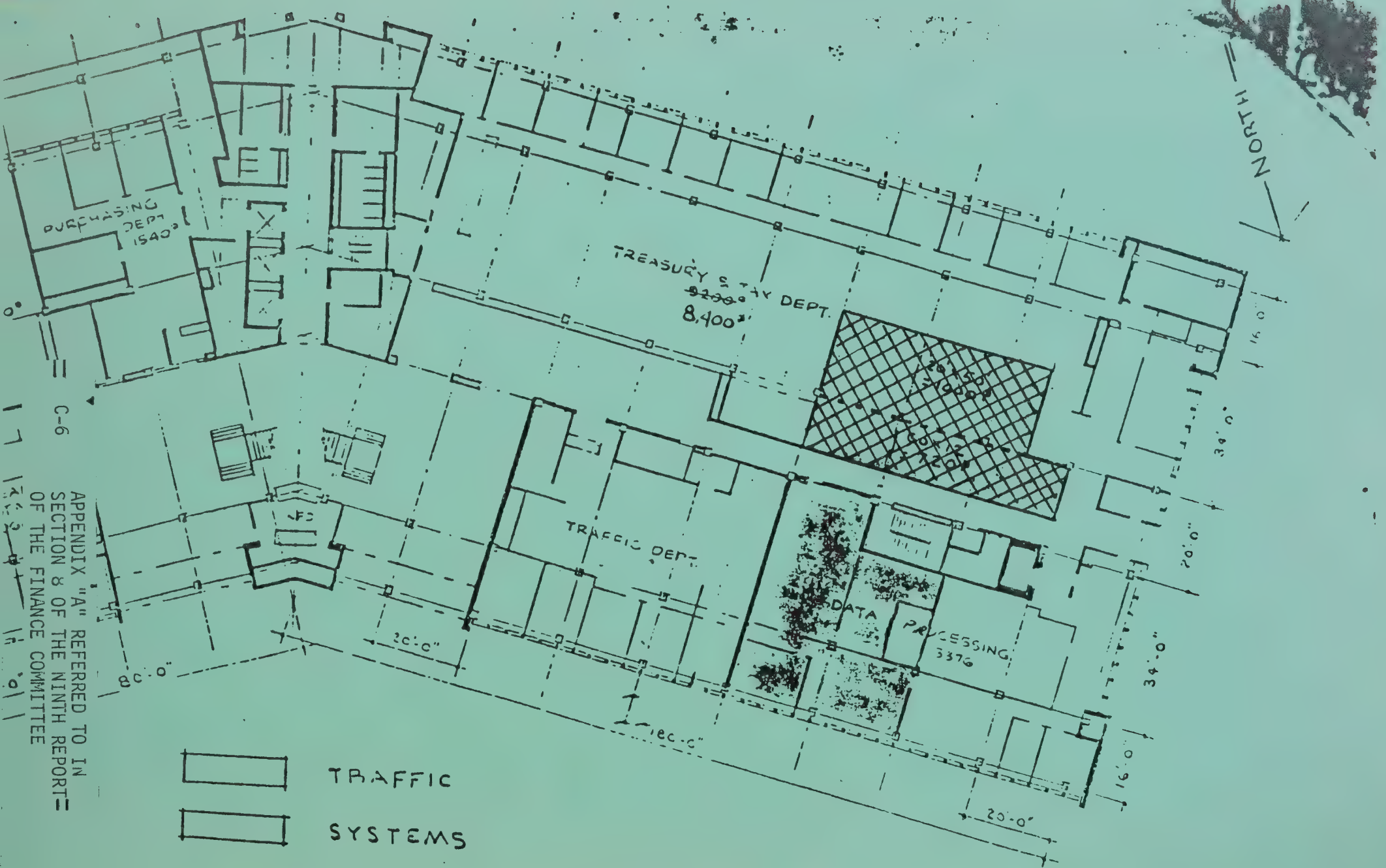
(a) Bill C-12 By-law to Appoint an Acting Treasurer.

(b) Bill C-13 By-law to Authorize Execution of Municipal Action '85 Agreement.

Respectfully recommended

ALDERMAN D. GRAY, ACTING CHAIRMAN
FINANCE COMMITTEE

J. J. Schatz, Secretary
1984 May 3
JJS:bg



GROUND FLOOR PLAN

SCALE: 1" = 30'-0"

'A'

CITY ARCHITECTURAL DEPARTMENT
HAMILTON, ONTARIO

APPENDIX "A" REFERRED TO IN SECTION 8 OF THE NINTH REPORT OF THE FINANCE COMMITTEE

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To The Council of The Corporation of The City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **NINTH** Report for 1984 and respectfully recommends:

1. That approval be given to **Zoning Application 84-16, The Cadillac Fairview Corporation Limited, lessee,** to establish a modification to the "AA" (Agricultural) District regulations applicable to the lands located at the north-east corner of Upper Wentworth Street and Limeridge Road East, as shown on the attached plan marked as APPENDIX "A", on the following basis:

   (a) That the "AA" (Agricultural) District provisions of By-law No. 6593 be modified in accordance with Section 38 of The Planning Act, R.S.O. 1983, to permit the temporary use of these lands for parking of automobiles for a further three year period.

   (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-675b, and that the subject land on Zoning District Map E-27A be notated S-675b.

   (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27A.

   (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

   (e) That the Thorner Neighbourhood Plan be modified accordingly by adding a notation on the plan.

   Explanatory Note - The by-law will provide for a modification to the "AA" (Agricultural) District provisions applicable to the lands located at the north-east corner of Upper Wentworth Street and Limeridge Road East, as shown on the attached plan marked as APPENDIX "A" to permit the temporary use of the lands for parking of automobiles for a further period of three years.

2. That approval be given to **Zoning Application 84-17, Benemar Construction Inc., prospective owner,** to establish a change in zoning from "RT-10" (Townhouse) District to "R-4" (Small Lot Single-Family Detached) District for property located on the east side of Upper Wentworth Street and north of Stone Church Road East as shown on the attached plan marked as APPENDIX "B", on the following basis:

   (a) That the subject land be rezoned from "RT-10" (Townhouse) District to "R-4" (Small Lot Single-Family Detached) District;

   (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-27c;

   (c) That the proposed change is in conformity with the Official Plan for the Hamilton Planning Area; and

(d) That the Rushdale Neighbourhood Plan be amended accordingly.

Explanatory Note - The purpose of the By-law is to provide for a change in zoning from "RT-10" (Townhouse) District to "R-4" (Small Lot Single-Family Detached) District for property on the east side of Upper Wentworth Street and north of Stone Church Road East as shown on the attached plan marked as APPENDIX "B". The effect of the By-law is to permit the development of a subdivision for small lot single-family dwellings.

3. (a) That **Zoning Application 84-21, by Sonya Shekter, owner,** requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District for property at No. 1117 Main Street West to permit the existing parking area and pylon sign be denied as submitted.

(b) That approval be given to amended **Zoning Application 84-21, by Sonya Shekter, owner,** for a modification to the established "C" (Urban Protected Residential, etc.) District provisions applicable to the property located at No. 1117 Main Street West as shown on the attached plan marked as APPENDIX "C" on the following basis:

i) That approval be given to Official Plan Amendment No.19 to establish a site specific text amendment for the subject lands at No. 1117 Main Street West to permit the existing parking area and a pylon sign and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs and Housing.

ii) That notwithstanding Section 9(1) of By-law 6593, the existing parking area and a pylon sign shall be permitted uses.

iii) That notwithstanding Section 18A of Zoning By-law No. 6593, the following regulations shall apply to the parking area:

a. There shall be provided and maintained,

i a visual barrier not less than 1.2 metres and not more than 2.0 metres in height along the westerly lot line;

b. Where illumination is provided for the parking area the illumination shall be directed towards or on the lot on which the parking area is located and away from,

i any adjacent use;

ii any highway.

c. That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-870, and that the subject land on Zoning District Map W-34 be notated S-870.

d. That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-34, and make application to the Ontario Municipal Board.

e. That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No.

Explanatory Note - The purpose of the by-law is to provide for a modification to the established "C" (Urban Protected Residential, etc.) District provisions applicable to the property at No. 1117 Main Street West as shown on APPENDIX "C". The effect of the by-law is to permit the existing parking lot and a pylon sign. In addition, the following requirement shall apply to the parking area:

(a) a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be established along the westerly lot line.

The City of Hamilton has also adopted Amendment No.19 to the Official Plan of the Hamilton Planning Area. The purpose of the amendment is to allow approval of the above-noted change. The amendment will require approval of the Minister of Municipal Affairs and Housing.

4. (a) That approval be given to **Zoning Application 83-67, 305308 Ontario Inc., Murray Van Der Marel, prospective owner,** for a change in zoning from "AA" (Agricultural) District to "B-1" (Suburban Agricultural Residential, etc.) District in part, and to "C" (Urban Protected Residential, etc.) District in part, for property located on the west side of Grays Road in the area north of the Queen Elizabeth Way, as shown on the attached plan marked as APPENDIX "D" on the following basis:

i) That approval be given to Official Plan Amendment No.20 to establish a change in land use from "Open Space" to "Residential" for lands located on the west side of Grays Road in the area north of the Queen Elizabeth Way, as shown on the attached plan marked as APPENDIX "D" to permit single-family residential development; and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Minister of Municipal Affairs and Housing.

ii) That the lands shown as Block 1 on the attached plan marked as APPENDIX "D" be rezoned from "AA" (Agricultural) District to "B-1" (Suburban Agricultural Residential, etc.) District.

iii) That the "B-1" (Suburban Agricultural Residential, etc.) District regulations applicable to the lands described as Block 1 be modified to include the following as special provisions:

a. a planting strip not less than 3.0 m wide shall be provided and maintained along the westerly and southerly property lines of Block 1 adjacent to Confederation Park.

b. except for erosion control or shoreline protection structures, no building or structure shall be situated less than 15 m from the northerly property line adjacent to the Lake Ontario shoreline.

iv) That the lands shown as Block 2 on the attached plan marked as APPENDIX "D" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

v) That the "C" (Urban Protected Residential, etc.) District regulations applicable to the lands described as Block 2 be modified to include the following variance as a special provision:

a. that notwithstanding the provisions of subsection (4) of Section 9 of Zoning By-law No. 6593, each lot shall have a minimum width of 17.6 m (58') and a minimum lot area of 539 m^2 (5,800 sq. ft.)

b. that a landscaped planting strip not less than 3.0 m wide shall be provided and maintained along the southerly property line of Block 2 adjacent to Confederation Park.

vi) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-121.

vii) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No.20.

(b) That the City support the application to amend the Hamilton-Wentworth Official Plan to permit residential development as outlined above.

Explanatory Note - The by-law provides for changes in zoning for the lands shown on the attached plan marked as APPENDIX "D" on the following basis:

Block 1 from "AA" (Agricultural) District to "B-1" (Suburban Agricultural Residential, etc.) District to permit single-family residential development.

Block 2 from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to permit single-family residential development.

In addition, the by-law provides for the following as special requirements:

as to Block 1 that a planting strip not less than 3.0 m wide shall be provided and maintained along the westerly and southerly property lines

that except for erosion control or shoreline protection structures, no building or structure be situated less than 15 m from the northerly property line adjacent to Lake Ontario

as to Block 2 that each lot shall have a minimum width of 17.6 m (58') and a minimum lot area of 539 m^2 (5,800 sq. ft.)

that a planting strip not less than 3.0 m wide shall be provided and maintained along the southerly property line.

The City of Hamilton has also adopted Amendment No.20 to the Official Plan of the Hamilton Planning Area. The purpose of the amendment is to allow approval of the above-noted change in zoning. The amendment will require approval of the Minister of Municipal Affairs and Housing.

5. (a) That approval be given to **City Initiative 84-D** to amend By-law No. 6593 as amended by By-law No. 75-13, by establishing a change in zoning from "E-3"

(High Density Multiple Dwellings) District modified to "CR-3" (Commercial-Residential) District, for the lands bounded by Queen, Peter, Hess and Napier Streets, as shown on the attached plan marked as APPENDIX "E", on the following basis:

i) That the subject lands be rezoned from "E-3" (High Density Multiple Dwellings) District to "CR-3" (Commercial-Residential) District;

ii) That the "CR-3" (Commercial-Residential) District regulations applicable to the subject lands be modified to include the following variances:

a. That notwithstanding the provisions of subsection (4) of Section 15B of By-law No. 6593, no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used except for the following:

i a residential use mentioned in clause (a) of subsection (3) of Section 15B; or

ii a residential use mentioned in clause (a) of subsection 3 of Section 15B contained jointly with commercial, institutional or public uses mentioned in clauses (b), (c) and (d) respectively of subsection 3 of Section 15B, in the same building or structure; or

iii a public parking lot.

b. That notwithstanding the provisions of subsection (17) of Section 15B of By-law No. 6593, the following special provisions shall apply:

i a building or structure comprised of a joint residential and commercial, institutional or public use shall have a gross floor area of not more than the product of the area of the lot multiplied by the floor area ratio factor of 8.0, provided that:

1. the residential portion of a joint use building shall not exceed a floor area ratio factor of 2.85, except for a multiple dwelling which shall have a maximum of 469 dwelling units per hectare of lot area;

ii a building or structure comprised wholly of a residential use shall have a gross floor area of not more than the product of the area of the lot multiplied by the floor area ratio factor of 2.85, except for:

1. a multiple dwelling which shall have a maximum of 469 dwelling units per hectare of lot area.

iii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-871, and that the subject lands on Zoning District Map W-4 be notated S-871;

iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-4;

v) That the proposed change in zoning will be in conformity with the Official Plan upon approval of a change to the Neighbourhood Plan;

vi) That the Central Neighbourhood Plan be amended accordingly.

Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "E-3" (High Density Multiple Dwellings) District to "CR-3" (Commercial - Residential) District, for the lands bounded by Queen, Peter, Hess and Napier Streets as shown on the attached plan marked as APPENDIX "E".

The effect of the by-law is to permit the establishment of a public parking lot to be used in conjunction with the arena. The by-law also provides for the following modifications as special requirements.

(a) That only the following uses shall be permitted on the subject lands:

i) A public parking lot; or

ii) A residential use as permitted in the "CR-3" District; or

iii) A residential use as permitted in the "CR-3" District contained jointly in the same building with commercial institutional or public uses as permitted in the "CR-3" District.

(b) That a maximum gross floor area ratio of 8.0 times the lot area shall be permitted for a joint residential and commercial, institutional or public use building, of which a maximum ratio of 2.85 shall be for a residential use, except for a multiple dwelling which shall have a maximum of 469 dwelling units per hectare of lot area.

(c) That a maximum gross floor area ratio of 2.85 times the lot area shall be permitted for a building wholly occupied by a residential use, except for a multiple dwelling which shall have a maximum of 469 dwelling units per hectare of lot area.

6. **That Zoning Applications 81-69 and 84-20, Nida Corrado, owner and prospective owner,** requesting a change in zoning from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, from "AA" (Agricultural) District and "B" (Suburban Agricultural Residential, etc.) District to "DE-3" (Multiple Dwellings, etc.) District, and from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District be denied for the following reasons:

(a) The proposal conflicts with the development policies of the Official Plan. The introduction of high density apartment development at this location would be out of character with existing and proposed development in this area.

(b) The proposed "stacked" townhouse and apartment development represents in terms of density a major departure from the approved Gilkson Neighbourhood Plan which makes provision for limited low density apartment development and single and double housing.

(c) The proposed number of units exceeds available sanitary sewer capacity taking into consideration other projected development within the drainage area.

(d) The proposed development would require many variances from the standards of the applicable Zoning Districts which cannot be supported on planning grounds.

(e) The submitted plan has many design deficiencies and would require major redesign.

7. (a) That approval be given to **Application SA 84-03, Robert Shelley Construction Limited and Seebeck Construction Company Limited, owners,** to establish a draft plan of subdivision located at the north end of Glen Arms Street, north of Gemini Drive, subject to the following conditions:

i) That this approval apply to the plan prepared by A.J. Clarke and Associates dated January 26, 1984.

ii) That the road allowance be dedicated as public highway on the final plan.

iii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

iv) That the proposed subdivision conform with the zoning by-law approved under The Planning Act.

v) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.

vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.

viii) That the owner agree in writing to satisfy all the requirements, financial and otherwise of the City of Hamilton.

(b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this Application (SA 84-03), Robert Shelley Construction Limited and Seebeck Construction Company Limited, owners, proposed draft plan of subdivision, and that the City execute the Agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

8. (a) That an 1104 sq. m (11,879.04 sq. ft.) area be deleted from the calculation for park purposes of "Glen Arms Manor, Phase 2", a draft approval plan of subdivision, under Regional File No. 25T-83006, owner M. Maravich.

(b) That staff be directed to submit a procedure policy for the calculation of public land areas (5%) for plans of subdivision.

9. That approval be given to the proposed draft plan of condominium, **Application SA 83-12, P. Barnett Construction Limited, owner,** located at the north-west corner of Landron Avenue and Upper Kenilworth Avenue; conditional upon the applicant meeting the financial conditions of the City of Hamilton.

10. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

    14 Richmond Street
    70 Margaret Street
    26 Wellington Street North

11. That the Building Commissioner be authorized and directed to collect the following Administrative Charges.

    Zoning Verification-Single Family Dwelling $20.00

    Zoning Verification-All Other Uses $30.00

    Property Reports..... $30.00

    Hard Copies of Documents (8 1/2" x 11") $1.00

12. That the City Solicitor be directed to prepare a by-law directing the Building Commissioner to take all necessary steps to remove the salvage materials from the yards, to replace the eavestrough system and to paint all the exterior woodwork and eavestroughs as required on the Order dated November 25, 1983 pursuant to Section 31(7) of the Planning Act, 1983, registered as Instrument No. 273845 C.D. in the Land Registry Office for the Registry Division of Wentworth.

13. (a) That Item 8 of the 22nd Report of the Planning and Development Committee as approved by City Council on November 8, 1983 be rescinded.

    (b) That the City of Hamilton's Option to Purchase for the property of Henry Clarence and Shirley Ann Kilpatrick, duly executed on April 9, 1984, by the Vendors and scheduled for closing on or before June 14, 1984 be completed.

    The property is composed of a parcel located on the east side of Fullerton Avenue having a frontage of 16.58 feet, more or less, by a depth of 63.5 feet, more or less, and more particularly described as part of Lot 20 and part of Lot 21, Registered Plan 367, with all buildings erected thereon bearing municipal number **71 Fullerton Avenue.**

    The purchase price is $16,675.00.

    (c) That the City of Hamilton's Option to Purchase for the property of W. Wallace Cooper, duly executed on March 29, 1984, by the Vendor and scheduled for closing on or before June 18th, 1984 be completed.

    The property is composed of a parcel located on the east side of Fullerton Avenue having a frontage of 17.250 feet, more or less, by a depth of 58.5 feet, more or less, and is more particularly described as part of Lot 20 and part of

Lot 21, Registered Plan 367 with all buildings erected thereon bearing municipal number **75 Fullerton Avenue.**

The purchase price is $15,175.00.

(d) That in accordance with the instructions of the Planning and Development Committee on March 14, 1984 that the City of Hamilton's Option to Purchase for the property of Donald Christopher and Cheryl Lynn Pettipas, duly executed on March 27, 1984, by the Vendors and scheduled for closing on or before July 9th, 1984 be completed.

The property is composed of a parcel located on the east side of Fullerton Avenue having a frontage of 16.25 feet, more or less, by a depth of 63.5 feet, more or less, and more particularly described as part of Lot 20 and part of Lot 21, Registered Plan 367, with all buildings erected thereon bearing municipal number **73 Fullerton Avenue.**

The purchase price is $17,675.00.

(e) That in accordance with the instructions of the Planning and Development Committee on March 14, 1984, that the City of Hamilton's Option to Purchase for the property of Agnes C. Wilton, duly executed on April 9th, 1984, by the Vendor and scheduled for closing on or before July 14th, 1984 be completed.

The property is composed of a parcel located on the east side of Fullerton Avenue having a frontage of 16.5 feet, more or less, by a depth of 58.5 feet, more or less, and is more particularly described as part of Lot 20 and part of Lot 21, Registered Plan 367 with all buildings erected thereon bearing municipal number **67 Fullerton Avenue.**

The purchase price is $17,175.00.

(f) That inasmuch as the Tax Arrears Registration System as it relates to 69 Fullerton Avenue must be commenced again, which would subsequently delay the City's possession of the property for one year, it is therefore recommended that in the interest of an expeditious assembly, the City of Hamilton move to expropriate **69 Fullerton Avenue.**

(g) That inasmuch as this department has exhausted all means to negotiate a satisfactory settlement with the owner of 65 Fullerton and if it is a desire of the Planning and Development Committee to acquire all six units (65-75 Fullerton Avenue) it is therefore recommended that the property known as **65 Fullerton Avenue** be acquired by expropriation.

(h) That the Finance Committee establish the means of financing the costs incurred in the acquisition, expropriation and security protection of the properties known as 65-75 Fullerton Avenue.

(i) That upon the City obtaining possession of all six units on Fullerton Avenue, the Real Estate Department be authorized to proceed to sell the six units (65-75 Fullerton Avenue) to the Hamilton East Kiwanis Non-Profit Homes Inc. at a price to be determined at that time.

14. At its meeting held February 29, 1984, City Council, in adopting Item 12 of the Third Report of the Planning and Development Committee, approved that the present lease agreement between the City of Hamilton and the Hamilton Region Conservation Authority with respect to the Beach Strip Acquisition and Demolition Programme be amended in order to allow those properties which are habitable and in good condition to be rented.

    At its meeting held April 25, 1984, the Planning and Development Committee considered the following resolutions from the Hamilton Region Conservation Authority:

    "That the Conservation Authority not endorse changes to the present lease which would allow the rental of Conservation Authority acquired residences."

    "That the City of Hamilton be requested to reconsider its position on 3 Dexter Avenue failing which the City be asked to purchase this residence from the Conservation Authority at authority cost."

    "That the Conservation Authority concentrate on purchasing the lower quality houses and that hardship cases of better quality houses be referred to the City for its consideration subject to sufficient houses being available in both quality categories."

    For the information of members of City Council, no decision was reached by your Committee on the following recommendation due to a tie vote and is therefore submitted to City Council for its consideration and disposition.

    "That the Provincial Government be requested to approve an amendment to the present lease agreement between the City of Hamilton and the Hamilton Region Conservation Authority with respect to the Beach Strip Acquisition and Demolition Programme in order to allow those residences which are of better quality to remain in tact and to be offered to the public for rental."

15. That a grant and repayable loan in the amount of $4,782 be approved for Mr. and Mrs. J. Melo - 129 Albany Avenue for the adaption of their home for their daughter's handicap. That subject to approval of the loan be registered on Title indicating that a forgiveable grant in the amount of $2,391 be earned over a five (5) year period and the balance of $2,391 will be repaid to the Corporation, City of Hamilton at the time of sale of the property. The interest rate on the repayable portion will be 0%.

16. That permission be granted to the Hamilton Disarmament Coalition to use the Art Gallery Plaza for a rally on May 12, 1984 subject to provision of insurance satisfactory to the City Solicitor and to payment of charges for clean-up after the event.

17. That leave be granted to introduce the following Bills:-

    (a) Bill D-62 By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No.37 Kilbride Road

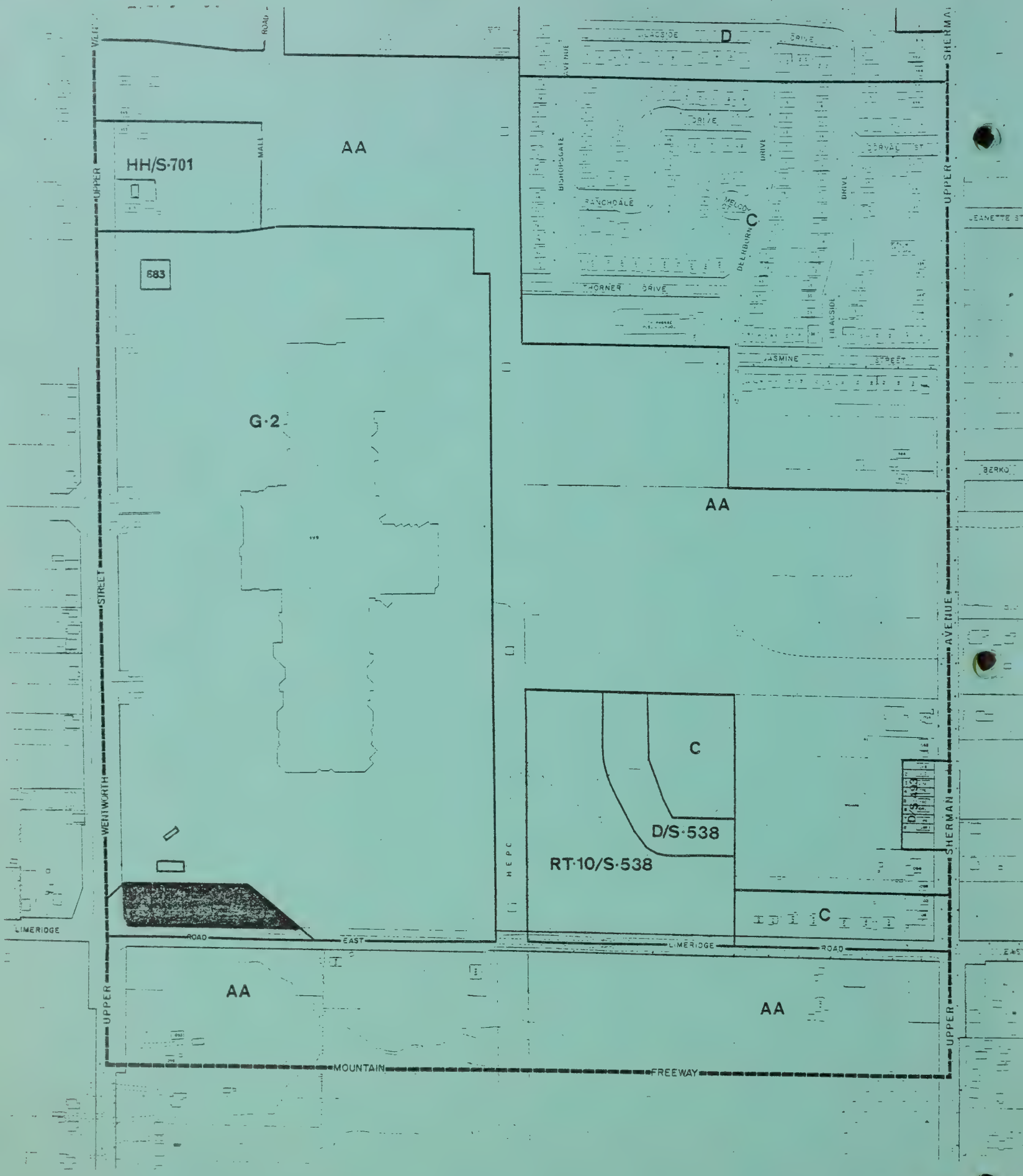
(b) Bill D-63 By-law to Adopt Official Plan Amendment No.16 respecting lands located on the east side of Each Avenue South between Main Street East and King Street East, and known municipally as 17 to 21 East Avenue South.

(b) Bill D-64 By-law to Confirm Proceedings of the Corporation of the City of Hamilton.

Respectfully submitted.

ALDERMAN W. M. McCULLOCH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

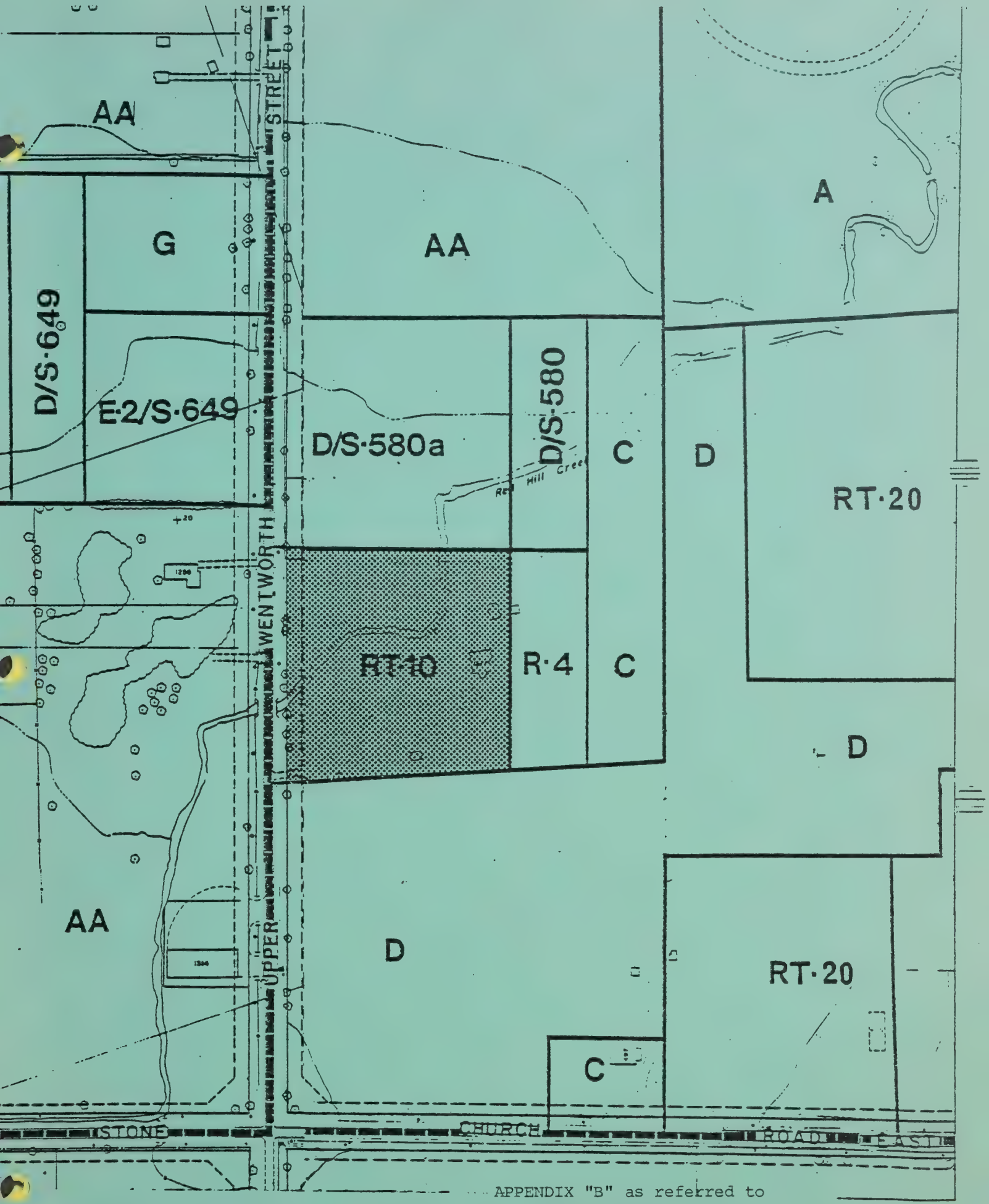
JDT/sma
1984 May 1



APPENDIX "A" as referred to in Item 1 of the Ninth Report of the Planning and Development Committee.

SITE OF THE APPLICATION

ZA 84-16



APPENDIX "B" as referred to in Item 2 of the Ninth Report of the Planning and Development Committee.

SITE OF THE APPLICATION

ZA84-17

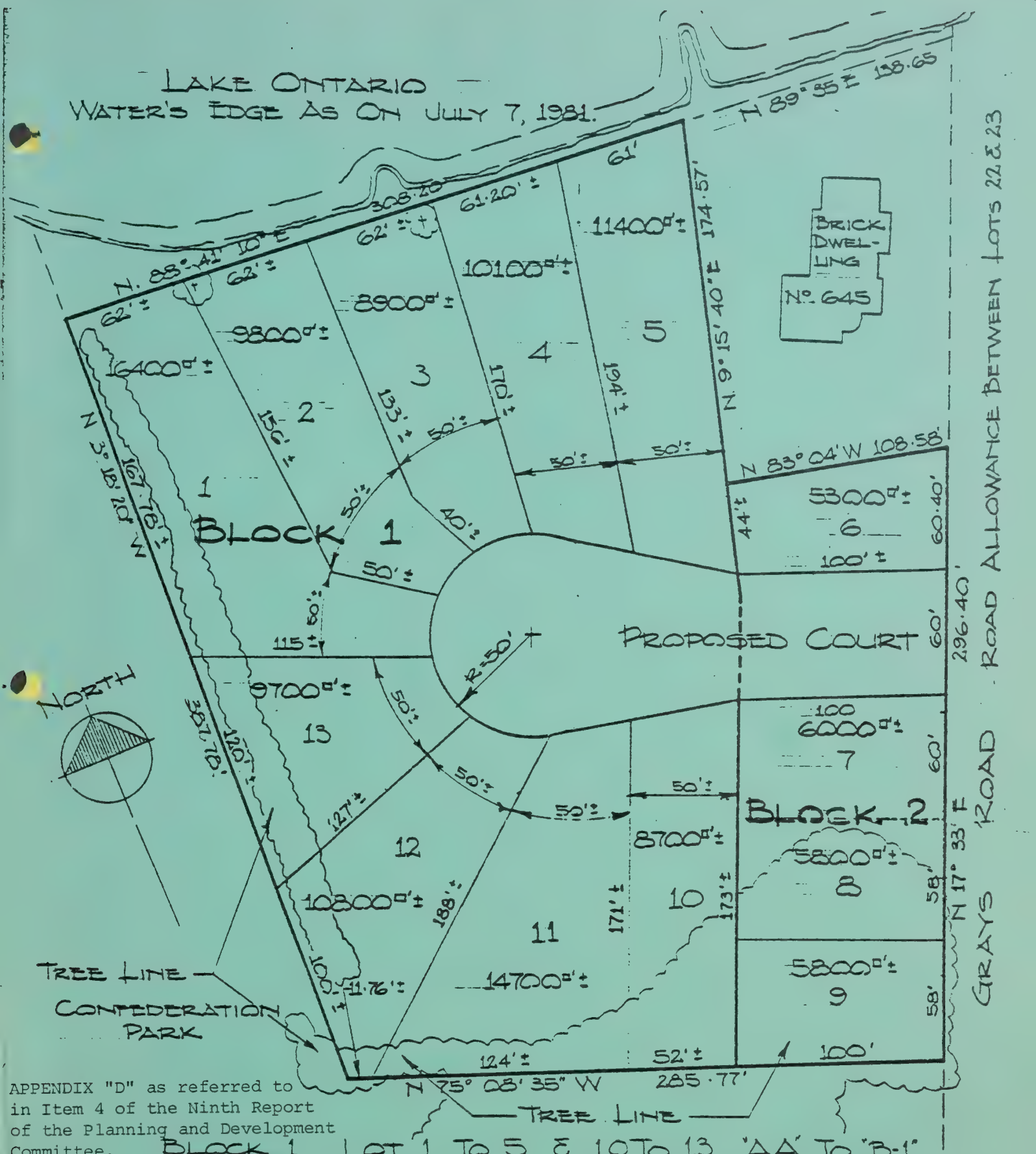
LEGEND

SITE OF THE APPLICATION

ZA 84-21

APPENDIX "C" as referred to in Item 3 of the Ninth Report of the Planning and Development Committee.

3 29 136 1 2 92 1 25 25 This is not a Legal Document For Zoning Verification Please Contact City Building Department.	CITY OF HAMILTON **AINSLIE WOOD EAST ZONING**
Neighbourhood Boundary Zoning Boundary.	0 100m SCALE 50m NORTH
Prepared for The City of Hamilton by the Planning and Development Department of The Regional Municipality of Hamilton Wentworth	PLANNING UNIT NO 6903 · September 1981 · PAGE NO 2



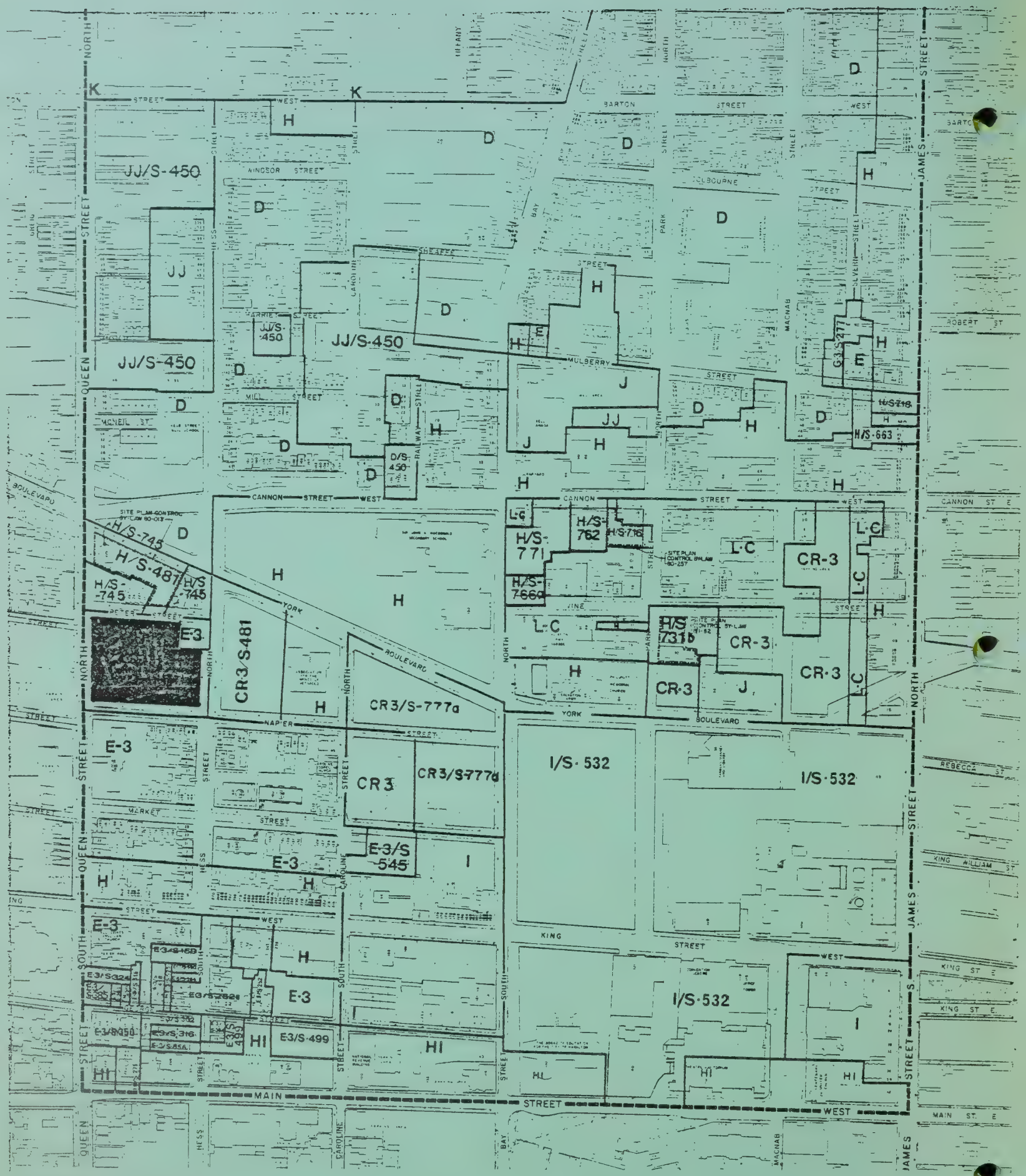
APPENDIX "D" as referred to in Item 4 of the Ninth Report of the Planning and Development Committee.

BLOCK 1 LOT 1 TO 5 & 10 TO 13 "AA" TO "B-1".
BLOCK 2 LOT 6 TO 9 FROM "AA" TO "C".

SCALE 1" = 60'-0"

PROPOSED LOTS LAYOUT

APPENDIX "C"



APPENDIX "E" as referred to in Item 5 of the Ninth Report of the Planning and Development Committee.

SITE OF THE APPLICATION

c.1, 84-D

REPORT OF THE LEGISLATION COMMITTEE

To the Council of The Corporation of The City of Hamilton.

Members of Council:

The Legislation Committee presents its **EIGHTH** Report for 1984 and respectfully recommends:

Grants

1. That a grant in the amount of $140.00 be made to the **ALPHA DELTA KAPPA** Ontario to be used to assist in defraying expenses in organizing and hosting their Annual Convention be held in the City of Hamilton June 1-3, 1984. Approximately 85 delegates from across Ontario and parts of the USA will be in attendance.

2. That permission be granted to the MacNab Street Y.W.C.A. to use the City Hall forecourt for their Annual Strawberry Festival.

3. That permission be granted for the use of the City Hall for Advance Polls in the upcoming Provincial election.

4. That Civic awards be made to the members of the Hamilton Huskies of the Hamilton Minor Hockey Association who recently won the Ontario Minor Hockey Association Championship.

Respectfully submitted,

May 4, 1984
JDT:mg

Alderman V. J. Agro, Chairman
Legislation Committee

Bill No. C-12

The Corporation of the City of Hamilton

BY-LAW NO. 84 -

To Appoint:

AN ACTING TREASURER

WHEREAS Subsection 79(3) of the Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

> 79(3) When the office of treasurer is vacant or the treasurer is unable to carry on his duties through illness or otherwise, the council may appoint an acting treasurer pro tempore who shall have all the powers and duties of the treasurer under this and every other Act.

AND WHEREAS it is intended to provide for the continuance of the normal operations of the Treasury Department and the duties of the Treasurer during the absence of the Treasurer through illness or otherwise, including vacation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Mr. I. R. Hammel, Treasury Officer, is appointed Acting Treasurer and shall assume the duties and responsibilities during the absence of the Treasurer through illness or otherwise, including vacation.

PASSED this day of A.D. 1984

City Clerk Mayor

Direction,
Finance Committee
1984 May 3

Bill No. C-13

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Authorize:

EXECUTION OF MUNICIPAL ACTION '85 AGREEMENT

WHEREAS the Province wishes to assist the City of Hamilton under its program "Municipal Action '85" by funding individual municipal initiatives aimed at increasing productivity, improving cost effectiveness, and refining staff expertise;

AND WHEREAS the City of Hamilton wishes to participate in the program.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Mayor and the City Clerk be authorized and directed to execute an Agreement between the Province and the City of Hamilton in form and content as annexed hereto as schedule "1".

PASSED this day of A.D. 1984.

City Clerk Mayor

Schedule "1"

File No. 16101-308-015

MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING

MUNICIPAL ACTION '85 AGREEMENT

THIS AGREEMENT made in triplicate this day of , 198 .

BETWEEN: HER MAJESTY THE QUEEN, in right of the Province of Ontario as represented by the Minister of Municipal Affairs and Housing, hereinafter referred to as the "Province",

OF THE FIRST PART,

AND: City of Hamilton, hereinafter referred to as the "Municipality",

OF THE SECOND PART.

WITNESSES THAT

WHEREAS the Province wishes to assist Ontario municipalities under its program "Municipal Action '85" by funding individual municipal initiatives aimed at increasing productivity, improving cost effectiveness, and refining staff expertise;

AND WHEREAS the Municipality wishes to participate in the program.

AND WHEREAS the Municipality by by-law No. passed on the day of , 198 , has authorized the and the of the said Municipality to execute this Agreement on behalf of the Municipality;

NOW THEREFORE in consideration of the mutual covenants herein contained the parties agree as follows:

1. The Municipality shall undertake or have undertaken the Project, hereinafter referred to as the "Project" to implement an employee assistance program, in accordance with Schedule "A" attached hereto and forming part of this Agreement.

2. The Project shall be completed on/or before the 30th day of June, 1985, hereinafter referred to as "the completion date", unless extended, up to a maximum period of six months, by mutual consent of both parties. A penalty of 10% reimbursement of funds to the Province may be imposed by the Province, if this condition is not met.

3. The Province agrees to contribute to the actual cost of the Project, the sum of Twenty Nine Thousand Three Hundred and Seventy Five Dollars ($29,375.00) to be paid in the following manner:

   The Province may make a payment of Twenty Nine Thousand Three Hundred and Seventy Five Dollars ($29,375.00) to the Municipality as soon as may conveniently be done after the signing of this Agreement.

4. (a) In the event that the Project is not undertaken, the Municipality agrees to return all monies advanced by the Province, in accordance with section 3.

   (b) In the further event that the Project although undertaken, terminates prematurely for any reason, including termination by the Province in accordance with section 10; the Province, taking into account all the appropriate circumstances, may determine, in its absolute discretion, that a portion of its payment to the Municipality shall be returned by the Municipality to the Province. The Municipality agrees to forthwith make such repayment to the Province.

5. The Municipality shall provide the Province with a statement certified by the Treasurer, setting out in such detail and in such form as the Province may direct, the Project costs incurred or paid by the Municipality in carrying out the Project. The Municipality shall also provide to the Province invoices and receipts regarding such costs, if so requested by the Province.

6. The Province or its agents may attend any meeting related to the Project and to that purpose the Municipality shall advise the Province of the time and place of all meetings in sufficient time to facilitate attendance.

7. The Municipality shall at all times permit all staff or agents of the Province to inspect any component of the Project. The Municipality shall also submit to the Province progress reports at such intervals as the Province may require.

8. All data, working papers and other documents prepared for or by the Municipality in connection with this Project, including the documentation, manuals or reports provided for in Schedule "A", shall be and remain the sole property of the Municipality. However, the Province shall at all times, after the completion of the Project and in consultation with the Municipality, have the right to publish or otherwise disseminate any such documentation, manuals and reports, except for documentation, manuals or reports which the Municipality is prohibited by any agreement to which it is a party, from publishing or otherwise disseminating.

9. The Municipality shall indemnify and save harmless the Province from and against all claims, actions, losses and expenses, costs or damages of every nature and kind whatsoever which may be occasioned as a result of the negligence of the Municipality or any consultant or agent retained by the Municipality in connection with the Project.

10. The Province may at any time, by written notice of at least seven days to the Municipality, suspend or otherwise terminate this Agreement.

11. Any notice herein provided for or given hereunder if given by the Province to the Municipality shall be sufficiently given if mailed to the Municipality by prepaid registered post addressed to it at:

    City of Hamilton
    71 Main Street West
    HAMILTON, Ontario
    L8N 3T4

12. Any notice herein provided for or given hereunder if given by the Municipality to the Province shall be sufficiently given if mailed to the Province by prepaid registered post addressed to:

Director or Acting Director
Municipal Management Policy Branch
Ministry of Municipal Affairs and Housing
11th Floor, 777 Bay Street
Toronto, Ontario
M5G 2E5

13. Any notice shall be deemed to have been given on the date of mailing. Either the Province or the Municipality may at any time give notice in writing to the other of any change of address of the party giving such notice and after the giving of such notice the address therein specified shall be deemed to be the address of such party for the giving of such notice thereafter.

IN WITNESS WHEREOF Mr. Alec Trafford, Director, Municipal Management Policy Branch, has, on behalf of the Minister of Municipal Affairs and Housing on behalf of the Province of Ontario hereunto set his hand, and and on behalf of the Municipality, have hereunder set their hands.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:	)	
Witness	)	On behalf of the Minister of Municipal Affairs and Housing
Witness	)	Ramorion On behalf of the Municipality
Witness	)	On behalf of the Municipality

CITY OF HAMILTON

PROPOSAL - MUNICIPAL ACTION 1984/85

DESCRIPTION OF PROGRAM

Provide a Confidential Employee Assistance Counselling Service for employees and their immediate families (including retirees). This service to be provided through a Counselling Agency on a contract basis.

OBJECTIVES

Assist employees and their families with problems which may affect the employee s work performance through use of individual counselling and seminars on special problems. These problems could include personal, family conflict, stress, financial difficulties, depression, aging parents, marital, drinking, drugs, etc.

BENEFITS

Improve employee morale, employee/employer relations, quality of work and efficiency.

Reduce absenteeism, errors, accidents, replacement costs and premiums on benefit packages.

COSTS - 1984

Contract for Services of Counsellor and Office facilities	$48,250.00
Publication of brochures, posters, etc.	3,000.00
Renting of facilities for seminars	3,000.00
Miscellaneous expenses not covered by medical plans	4,500.00
	$58,750.00

P R O P O S E D

EMPLOYEE ASSISTANCE PROGRAM

AGREEMENT

This agreement made this day of , 19

Between:

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter referred to as "the Employer")

and

_____

(hereinafter referred to as "the Agency")

, 19 through , 19 .

1. EMPLOYER RESPONSIBILITY

The Employer agrees to

(a) provide personnel, approved by the General Employee Assistance Committee of the Corporation of the City of Hamilton, for the purpose of providing a Joint Advisory Committee. Terms of Reference for the Joint Advisory Commitee are attached to this agreement.

(b) provide adequate opportunity and assistance in the orientation of the counsellor to the Employer's organization, personnel policies, and other relevant information. Employee Assistance Program Policy and the Implementation Procedures are attached to this agreement.

(c) provide opportunities for the Employee Assistance Counsellor to conduct sufficient employee in-service sessions to ensure that personnel are familiar with and understand the services available, their objectives and how to access the services.

(d) provide promotional literature for employees

(e) remit to ——————————————————————$———— per month, payable the first day of the month,as long as services are being provided to the Corporation, plus a one-time only start up fee of $————payable , 19 . Any adjustment for failure to supply services, will be on pro rated basis.

2. AGENCY RESPONSIBILITY

The Agency agrees to

(a) provide those services described under the "Terms of Reference Counsellor" as attached to this agreement.

(b) provide a full time (a minimum of 35 hours per week / 52 weeks per year) professional counsellor to perform the services agreed upon by the parties; the precise hours to be agreed upon from time to time, and must be satisfactory to the Corporation.

(c) provide office space (including furniture, telephone service and supplies) for the counsellor and clients at ———————— Hamilton, Ontario.

(d) provide an answering machine to take messages and requests for service in the absence of the counsellor, such apparatus to be of a sophisticated nature in order to protect privacy and confidentiality.

(e) provide non-confidential data to the Joint Advisory Committee as required for the Committee to be aware of the number of clients, types of service utilized, and problem areas being encountered.

(f) provide a representative for the Joint Advisory Committee

(g) have the professional counsellor, who shall be an employee of the Agency, accountable to the Executive Director of the Agency

(h) provide an alternative counsellor for coverage of the counsellor should the regular counsellor not be available for any reason.

3. EMPLOYER AND AGENCY RESPONSIBLITY

The Employer and the Agency both agree that

(a) all records, files and information collected by the Counsellor will be the exclusive property of the Agency.

(b) data will be conveyed to the Joint Advisory Committee in form and content acceptable to the Committee.

(c) confidential client information will be released only to those persons authorized by the Joint Advisory Committee and only upon the written, informed consent of the client; the Agency's policy on client privacy and confidentiality will provide the terms of reference in this regard and also in any evaluation involving clients.

(d) summary evaluation of the Employee Assistance Program and the discussions toward the renewal of this agreement will commence no later than , 19 Three months notice shall be given by either party of its intention to discontinue or substantially modify the agreement.

4. SUPERVISORY REPONSIBILITY AND COUNSELLOR ACCOUNTABILITY

Responsibility for evaluation of the counsellor's job performance reside solely with the Agency; however, the input of the Joint Advisory Committee will be sought by the Agency and taken into account. The Agency will have line authority over the Counsellor but the Joint Advisory Committee will exercise functional authority.

5. DURATION

This agreement shall remain in force and effect from and including the 1st day of , 19 until the day of , 19

FOR:	The Corporation of the City of Hamilton	FOR:	_____
	_____		_____
	_____		_____
	_____		_____

CORPORATION OF THE CITY OF HAMILTON

EMPLOYEE ASSISTANCE PROGRAM POLICY

The Corporation of the City of Hamilton and its Local Boards recognize that workers can have life-style problems, which can affect their performance in the work-place.

The employer and the unions commit themselves to helping these employees (and where appropriate their families) in the hope that troubled employees will be encouraged to accept assistance on a voluntary basis.

However, based on poor job performance and/or attendance, as noted by a supervisor, a union representative or a fellow worker, mandatory referral may be arranged with the assistance of a counselling service. This agency will make initial assessment and, where necessary, refer the employee to an appropriate treatment source.

A commitment will be required from the person seeking help that he/she will co-operate in the program to completion of treatment or follow-up.

Any health problem generated by conditions in an employees personal life, or generated by his/her life style, which interferes with his or her work performance, will be treated as an illness and, as such, will be open to the same benefits as any illness provided that the absence is under the conditions of the program.

The program will be co-ordinated through the Joint Advisory Committee. A counselling agency shall be retained to have personal and confidential contact with program users.

This counselling service will report its accomplishments regularly to the Joint Advisory Committee. Members of this committee will be made known in the work-place so they may act as a line of communication between employees and the counselling source.

An employee's job security or advancement opportunities will not be adversely affected by their seeking the benefit of this program.

TERMS OF REFERENCE

JOINT ADVISORY COMMITTEE
(Employee Assistance Program)

A group of Labour and Management Representatives, along with a Representative from the Agency, formed to assist and critique the program, by

(a) Acting as a referral agent

(b) Arranging general meetings with all groups to discuss changes in general policy, and suggested changes to the program gathered from the various groups

TERMS OF REFERENCE

COUNSELLOR
(Employee Assistance Program)

(a) Provide a counselling service to all employees at an off-site office with varying hours. Such service to include, psycho-social assessment, information, referral, short time (up to 8 sessions) counselling, consultative and any other appropriate service as mutually agreed upon by the City and the Agency.

(b) Prepare an orientation and education plan.

(c) Arrange orientation and educational sessions with all staff.

(d) Train Joint Advisory Committee members, and other appropriate personnel, in the art of referral

(e) Attend meetings of the various committees as required.

(f) Submit reports on progress of program to the Joint Advisory Committee.

The Counsellor shall provide all services listed above and any contained in the Job Description attached hereto.

EMPLOYEE ASSISTANCE PROGRAM

IMPLEMENTATION

PROCEDURES

1. The Corporation will enter into a contract with a service agency to provide an "off-site counsellor".

2. The Counsellor will prepare an orientation and educational plan for employees in consultation with the Joint Advisory Committee.

3. The Counsellor will arrange to have all members of the Joint Advisory Committee, and other appropriate personnel, trained in the art of referral.

4. Voluntary referrals may be made with or without consultation of Personnel Department Staff. However, if the employee must have time off work, the Personnel Department and the Supervisor must be informed. Medical certification will not be required for such absences if the employee is participating in an active treatment program as described in the policy and recommended by the Counsellor.

5. Suggested and/or mandatory referrals must be made in consultation with the Director of Personnel when disciplinary procedures are involved and, as indicated above, when time off work is involved.

6. A master list of employees, to be used on a confidential basis for initial identification purposes only, shall be provided to the Counsellor, as required.

7. General Meetings will be held as required.

JOB DESCRIPTION - E.A.P. COUNSELLOR

GENERAL

In general, the Employee Assistance Program (E.A.P.) counsellor, under the supervision of the Executive Director, will fulfill the duties, tasks, and functions of the position at such times and places as called for in the contract established between the agency and the purchaser of the Employee Assistance Program.

Specific Duties (subject only to the express terms of the agency's contract with the employer):

1. Provide information and referral service to employees as appropriate;
2. Perform assessments, with or without referral, of employees as appropriate;
3. Provide short term counselling to employees as appropriate;
4. Provide consultation and training as to effective referral skills to foremen, supervisors, managers and the Joint Advisory Committee;
5. Provide for and/or provide preventive programs as appropriate and when feasible;
6. Maintain liaison and close collaboration with relevant personnel within the employee's system, e.g., personnel department, union officers, medical department or any other party that may wish to refer a troubled employee to the service;
7. Attend supervision sessions with the Executive Director on a regularly scheduled basis;
8. Attend E.A.P. team meetings for the purpose of peer consultation on a regularly scheduled basis;
9. Attend [illegible] Social Worker staff meetings;
10. Keep accurate records required by the Joint Advisory Committee and utilize the case recording and service information system of [illegible];
11. Assure the confidentiality of case files and the information therein;
12. Attend Management-Employee Joint Advisory Committee meetings for the purpose of reporting service activity and trends, tabling of recommendations as to E.A.P. policy and program, and to receive policy guidelines for the promotion, development, operation and evaluation of the E.A.P.,
13. Perform such duties as may from time to time be assigned, or as are described in the contract.

Bill No. D-62

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 37 KILBRIDE ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

ANL WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-15" (Prestige Industrial) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) Notwithstanding subsection 17G(1) of By-law No. 6593, the following,

(i) **PUBLIC USE** shall be permitted:

1. A municipal solid waste transfer station;

(b) Notwithstanding subclause 2(2)J(xb) and clauses 17G(2)(e) and 17G(2)(h) of By-law No. 6593, outside waste disposal storage bins shall be permitted in the required landscape area and in the required front yard;

(c) Notwithstanding subclause 18(4)(iv) of By-law No. 6593, outside waste disposal storage bins shall be permitted in the required front yard.

2. No building or sturcture shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-15" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-863".

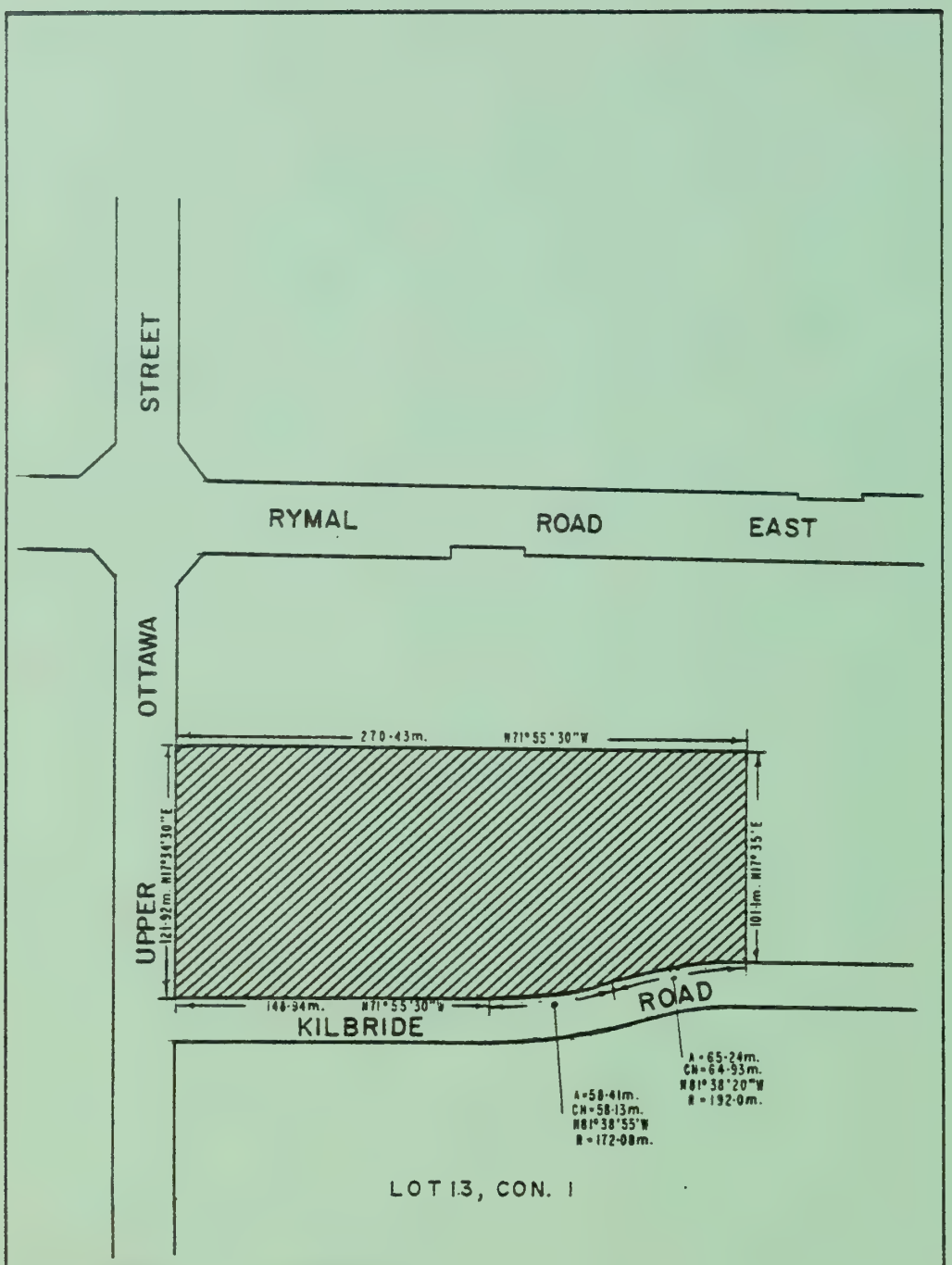
4. Sheets No. E-49E and E-59E of the District Maps are amended by marking the land referred to in section 1 of this by-law, "S-863".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 6 R.P.D.C. 1, April 10
The Regional Municipality of
Hamilton-Wentworth, Owner
ZA-84-09



THIS IS SCHEDULE "A" TO BY-LAW NO. 84-
PASSED THE . DAY OF

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 84-
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY-LAW NO. 84 -

North	Scale	Reference File No.
	1:2500	ZA-84-09
	Date	Drawing No.
	APR. 6, 1984	

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Adopt:

Official Plan Amendment No. 16

Respecting:

LANDS LOCATED ON THE EAST SIDE OF EAST AVENUE SOUTH, BETWEEN MAIN STREET EAST AND KING STREET EAST, AND KNOWN MUNICIPALLY AS 17 TO 21 EAST AVENUE SOUTH

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 16 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 6 R.P.D.C. 2(a), April 10

WP0658P

AMENDMENT NO. 16 TO THE CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "B-1", constitute Amendment No. 16.

PURPOSE

To establish a site specific policy to permit a seven (7) storey, thirty (30) unit multiple residential building on lands designated "Commercial".

LOCATION

The subject lands are located on the east side of East Avenue South between Main Street East and King Street East, and known municipally as 17 to 21 East Avenue South.

BASIS

This amendment can be supported on the following basis:

- The area is a "mixed use" area consisting of commercial, residential and institutional uses. Accordingly, the proposal would not be out of character with the existing development;
- The proposal would make use of a partially completed derelict structure, which would improve the appearance of the streetscape;
- The property is well served by public transportation routes along King Street East and Main Street East which could be utilized by residents of the apartment; and
- The Central Area of Hamilton starts at Victoria Avenue, one block to the east. The development in this location will provide additional residents to maintain and enhance the commercial function of downtown Hamilton and who will be able to take advantage of the wide range of social, cultural and recreational facilities in the Central Area.

ACTUAL CHANGES

The Official Plan is hereby amended as follows:

i) The following new policy be added to Subsection A.2.9.3, OTHER POLICY AREAS, as Policy A.2.9.3.20:

"A.2.9.3.20 Notwithstanding the permitted uses as set out in Subsection A.2.2, COMMERCIAL USES, for those lands shown on Schedule B-1 as SPECIAL POLICY AREA 25, and known municipally as 17 to 21 East Avenue South, a seven storey, 30 unit multiple residential building may be permitted."

The following be added to Schedule B-1 (Other Special Policy Areas):

- Special Policy Area 25, and
- "Area 25, refer to Policy A.2.9.3.20",

all as shown on the attached Schedule B-1 to this Amendment.

IMPLEMENTATION

The restricted area by-law will give effect to the intended use of the subject lands.

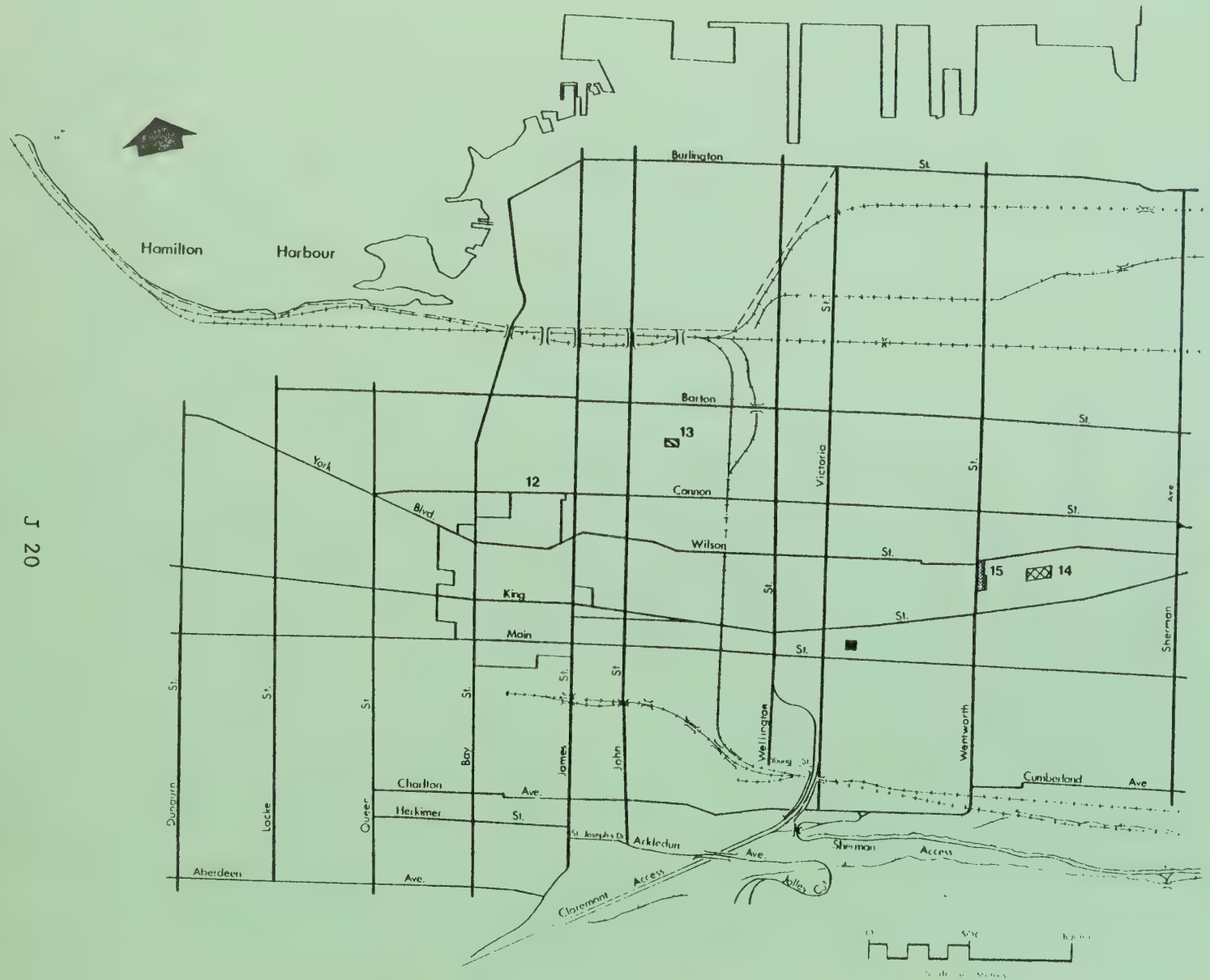
Bill No.

This is Schedule 1 to By-law No. , passed on the day of , A.D. 1984.

THE CORPORATION OF THE
CITY OF HAMILTON

City Clerk

Mayor



J 20

other special policy areas

legend

- 12 — refer to policy 29310
- 13 — refer to policy 29311
- 14 — refer to policy 29312
- 15 — refer to policy 29313

Schedule B-1
Amendment No. 16

to the
official plan
for the
city of hamilton

legend

add the subject lands as special policy area 25

date	drawn by	reference file no
may 1984		P6-2-16

schedule B-1

to the official plan
for
the city of hamilton

82 09 01

Bill No. D-64

BY-LAW NO. 84 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE Eighth DAY OF May, A.D., 1984.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this Eighth day of May A.D. 1984

City Clerk Mayor

2nd Floor

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, May 29, 1984
7:30 o'clock p.m.
Council Chambers
City Hall

AGENDA

1. Prayer
2. Presentations:
   (a) Mr. Fred Hopkinson - Canadian Warplane Heritage
   (b) Rings to former Council Members
3. Minutes of Previous Meeting held May 8, 1984
4. Reports of Standing Committees - attached
   - A Transport and Environment Committee
   - C Finance Committee
   - D Planning and Development Committee
   - E Legislation Committee
   - F Personnel Committee
   - G Licensing Committee
5. Consideration of Notice of Motion from previous meeting - attached
   (a) Alderman M. Davison
6. First Reading of Bills
7. Second Reading of Bills - Committee of the Whole
8. Third Reading of Bills
9. Question Period
10. Adjournment

TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **NINTH** Report for 1984 and respectfully recommends:

1. That the City of Hamilton advise the Regional Municipality of Hamilton-Wentworth that:

   i. the City of Hamilton **supports the principles of resource recovery and recycling;**

   ii. the City of Hamilton will not provide financial assistance to this program.

2. That the following apartment building (which has compaction facilities) be added to the **collection service provided by the City of Hamilton,** effective 1984 June 01 - **1928 Main Street West (178 units).**

3. That:

   i. Approval be given to proceed with the **construction of an addition to the Vehicle Maintenance Facility** at an estimated cost of $424 000.

   ii. The City Architect be directed to prepare the necessary plans, specifications and tenders for the project.

   iii. The Finance Committee recommend the method of financing.

   NOTE: The Proposed 1984-1988 Capital Budget includes this project, estimated at a cost of $424 000.

   In order for this project to be completed in 1984, work should begin immediately towards the preparation of the required drawings and specifications.

4. **DRUMMOND BUSINESS FORMS, Burlington, Ontario.**

   Supply and delivery of **Parking Tags** in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

210 000	City of Hamilton Parking Tags at $41.77 M	$8 771.70
45 000	Regional Police Parking Tags at $41.77 M	1 879.65
		$10 651.35

   Federal Sales Tax Extra @ 9%, Ontario Retail Sales Tax Extra 7%.

   NOTE: Lowest of 3 tenders.
   Funds have been provided for in the approved estimates for this purpose.

5. **3M CANADA INC., London, Ontario.**

Supply and delivery of **Reflective Sheeting** in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of $17 524.03

Federal & Ontario Sales Taxes Exempt.

NOTE: Lowest of 3 acceptable tenders.
Funds have been provided for in the approved estimates for this purpose.

6. That the existing **"One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on both sides of Dromore Crescent** between Paisley Avenue and Oak Knoll Drive **be changed** to a "Two Hour Parking Time Limit, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation.

7. That:

   i. a **parking prohibition be implemented on both sides of Hempstead Drive** between Unsworth Drive and Ditton Drive, and;

   ii. a parking prohibition be implemented on both sides of Ditton Drive between Hempstead Drive and the southerly end, and;

   iii. a parking prohibition be implemented on both sides of Unsworth Drive between Upper Ottawa Street and Hempstead Drive, and;

   iv. a parking prohibition be implemented on both sides of Lancing Drive between Unsworth Drive and the easterly end.

8. That:

   i. **James Street North between Strachan Street and Burlington Street be deleted from the "through street" system**, and;

   ii. an **"Alternate Side Parking" regulation be implemented on James Street North** between Strachan Street and Burlington Street, such that parking is prohibited:

      (a) on the west side of the street during the months of December, January, February and March, and from the 1st to 15th day during the months of April, May, June, July, August, September, October and November, and;

      (b) On the east side of the street from the 16th to end of each month during the months of April, May, June, July, August, September, October and November.

9. That the application of **Calabria Supermarket to lease a portion of the boulevard of Jackson Street West**, adjacent to 103 Locke Street South, be approved provided that:

   i. the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1976 November 30 (current rate is $84.39), plus taxes, if any, in addition to the $10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.

ii. the owner complies with the requirements as set out in the policy approved by City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.

iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.

iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

10. That the application by **A. Di Silvestro to lease a portion of the boulevard of Hester Street**, adjacent to 158 Hester Street, be approved provided that:

i. the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1976 November 30 (current rate is $53.30), plus taxes, if any, in addition to the $10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.

ii. the owner complies with the requirements as set out in the policy approved by City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.

iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.

iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

11. That the **existing "No Parking - Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Hunter Street West**, commencing at a point 70 feet west of Queen Street South and extending to a point 54 feet westerly therefrom, **be shortened**, such that the regulation commences at a point 70 feet west of Queen Street South and extends to a point 23 feet westerly therefrom.

12. That a **parking prohibition be implemented on the west side of London Street South**, commencing at Lawrence Road and extending to a point 73 feet northerly therefrom.

13. That a **stopping prohibition be implemented on the east side of Ray Street North**, commencing at York Boulevard and extending to a point 109 feet northerly therefrom.

14. That a **stopping prohibition be implemented on the south side of Everton Place**, commencing at a point 170 feet west of Upper Ottawa Street and extending to a point 32 feet westerly therefrom.

C

15. That:

    i. a **"Permit Parking Only" regulation be implemented on the west side of Hess Street North,** between Market Street and Napier Street, and;

    ii. the Acting Traffic Commissioner be authorized to issue one "Permit Parking Only" permit to each of the first seven applicants residing in the abutting one, two or three family dwellings.

16. That:

    i. **Kingfisher Drive be designated as a "Through Street"** between Limeridge Road and Upper Wentworth Street, and;

    ii. the By-law entry which prohibits stopping on both sides of Kingfisher Drive between Pinewarbler Drive and Upper Wentworth Street be changed, such that the regulation extends between Thresher Drive and Upper Wentworth Street, and;

    iii. the By-law entry which prohibits parking on both sides of Kingfisher Drive between Pinewarbler Drive and the southerly end be changed, such that the regulation extends between Thresher Drive and the southerly end.

17. That:

    i. the **existing stopping prohibition on the north side of Hixon Road,** commencing at Bettina Avenue and extending to a point 79 feet easterly therefrom **be shortened,** such that the regulation commences at Bettina Avenue and extends to a point 60 feet easterly therefrom, and;

    ii. the existing stopping prohibition on the north side of Hixon Road, commencing at Bettina Avenue and extending to a point 67 feet westerly therefrom be shortened, such that the regulation commences at Bettina Avenue and extends to a point 50 feet westerly therefrom.

18. That a **"School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Britannia Avenue,** commencing at a point 184 feet east of McLaren Avenue and extending to a point 40 feet easterly therefrom.

19. That **traffic southbound on Strathearne Avenue at Burlington Street be prohibited from turning right on a red** traffic signal indication.

20. That, in accordance with the **request by the Hamilton Street Railway Company;**

    i. permission be granted **to operate Delaware-West Hamilton and Rosedale buses on Rosedale Avenue** between Dundonald Avenue and Greenhill Avenue, and on Greenhill Avenue between Rosedale Avenue and Cochrane Road and on Cochrane Road between Greenhill Avenue and Dundonald Avenue, and;

ii. the following bus stop locations be approved:

- Delaware-West Hamilton/Rosedale Routes

ADD - Rosedale at Greenhill
Greenhill at Cochrane
Cochrane at Dundonald

DELETE - Dundonald at Aberfoyle
Dundonald, 80 feet east of Malta (MB)

21. That the following policy regarding the **erection of Neighbourhood Watch signs** be adopted:

i. the sign illustrated in drawing DT-16-84 be adopted as the official Neighbourhood Watch sign for the City of Hamilton, and;

ii. the existing City of Hamilton neighbourhood boundaries generally be used to define areas for the Neighbourhood Watch Program, and;

iii. all requests for Neighbourhood Watch signs be forwarded to the City Council for approval, and;

iv. the erection of Neighbourhood Watch signs generally be confined to the entrances to the neighbourhoods only, and;

v. all Neighbourhood Watch signs be erected and maintained by the City of Hamilton Traffic Department, and;

vi. the final location of the Neighbourhood Watch signs be subject to the approval of the Traffic Commissioner, and;

vii. the installation of Neighbourhood Watch signs on Regional Roads be subject to the approval of the Region.

and that;

viii. the Eastmount Neighbourhood be designated as a Neighbourhood Watch area, and;

ix. the Neighbourhood Watch signs for Eastmount Neighbourhood be manufactured, erected and maintained by the City Traffic Department, and;

x. the necessary funds be charged to Account No. 0345-6060 (Neighbourhood Watch Program).

22. That:

i. **a school traffic officer be assigned to the intersection of Whitney Avenue and Emerson Street**, as soon as possible, during the mornings and after school; and

ii. the Finance Committee be requested to recommend the method of financing an amount of approximately $3 500 per year.

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23. That City Council approve the **placement of decorative banners upon poles**, within its's jurisdiction, located in the **"Study Area" of the Downtown Hamilton Action Plan** as per **Appendix "A", attached.**

24. That Council confirm the action of the Transport and Environment Committee in approving the **application of the Hamilton Velo Club to temporarily close the following portions of local roads:**

    i. MacNab Street from Main Street to Hunter Street,
    ii. Hunter Street from MacNab Street to Bay Street

    from 2:00 p.m. to 5:00 p.m., on Sunday, May 13, 1984 in order to hold its bicycle race subject to the following conditions:

    (a) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City;

    (b) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of Local roads, at no cost to the City;

    (c) That the applicant provide proof of $1 000 000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss;

    (d) That the applicant reimburse the Regional Police Department, Department of Public Works and the Hamilton Street Railway for any extra costs incurred by these agencies;

    (e) That the applicant deposit a cheque in the amount of $300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Engineering. The cheque will be returned to the applicant after the race if the above conditions are satisfactorily met.

25. That the **appliction of the owner of Aceti Pizzeria, at 1493 Main Street East, requesting permission for an Annual Licence to establish an outdoor cafe, on the boulevard of Barons Avenue**, comprised of:

    i. Annual Licence area, approximately 2.36 m by approximately 14.80 m, consisting of elevated concrete pad (0.3 m high) and metal boundary railing,

    ii. Landscaped area, approximately 1.9 m by approximately 14.80 m, consisting of stone and rockery area, plus various plantings.

    be approved during the pleasure of Council, provided that:

    (a) That the owners enter into a Licensing Agreement satisfactory to the City Solicitor and the Commissioner of Engineering, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

(b) That an Annual Licence fee of $375.97, plus applicable taxes be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the $10 annual fee to be charged to the owners for encroachment insurance, satisfactory to the City Solicitor.

26. That the **application of the owner of the Homestead Restaurant, at 627 King Street East, requesting permission for a Seasonal Licence to establish an outdoor cafe, on the boulevard of Ashley Street,** having approximate dimensions of 5.0 m by approximately 12.90 m and comprised of:

i. asphalt pavement, and

ii. metal boundary railing

be approved during the pleasure of Council, provided that:

(a) The owners prepare a Licensing Agreement satisfactory to the City Solicitor, and the Commissioner of Engineering, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

(b) A a Seasonal Licence (from May 1st to October 31st) fee of $277.67, plus any costs that may be assessed or incurred by the Municipality as a result of the approval granted by this licence, be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the $10 annual fee to be charged to the owners for encroachment insurance, satisfactory to the City Solicitor.

(c) The owners may occupy the licenced area of the boulevard from May 1st to October 31st, and all furniture, equipment, etc., must be removed from the area at all other times.

27. That the **City advise the Board of Education** for the City of Hamilton that the City is of the opinion that the Board should **deed the land for one half of Hummingbird Lane to the City of Hamilton** for one dollar ($1), without further compensation from any third party.

28. That the **application of the Boy Scouts of Hamilton, requesting permission to install Canadian flags on store fronts, that may hang over the road allowance of Locke Street,** be approved during the pleasure of Council, provided that the application:

i. Indemnifies and saves the City harmless from all action, causes of action, interest, claims, demands, costs, damages, expenses and losses; and

ii. Provides proof of public liability and property damage insurance of at least $1 000 000, naming the City as an added insured party with a provision for cross liability, to the Commissioner of Engineering prior to installation; and

iii. Provides for the applicants to hire their own contractor(s) to install, maintain, and, if required, to remove flags and/or flag holding brackets; all to the satisfaction of the Commissioner of Engineering.

29. WHEREAS it is desirable and expedient that certain works be undertaken,

IT IS HEREBY RECOMMENDED:

i. that the report of the Commissioner of Engineering and the City Treasurer, **appended hereto,** recommending the **construction of concrete alleys as Local Improvements** on petition of property owners, pursuant to Section 11 of The Local Improvement Act, be adopted; and

ii. that the City Solicitor be directed to make application for approval under Section 64 of the Ontario Municipal Board Act; and

iii. that the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton; and

iv. that the Finance Committee be requested to determine the method of financing.

30. WHEREAS it is desirable and expedient that certain works be undertaken,

IT IS HEREBY RECOMMENDED:

i. That the report of the Commissioner of Engineering and the City Treasurer, **appended hereto,** recommending the **construction of the following:**

(a) finished roadway on Hill Street from Dundurn Street to Poulette Street,

(b) combined sidewalks and curbs on both sides of Hill Street from approximately 58 m east of Dundurn Street to Poulette Street,

(c) finished roadway on Richmond Street from Hunter Street to Hill Street,

as local improvements on the initiative pursuant to Section 12 of The Local Improvement Act be adopted, and

ii. That the City Clerk and City Treasurer be directed to give the necessary notice of Council's intention to undertake these works, and

iii. That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to Section 64 of The Ontario Municipal Board Act if no petition has been filed or an insufficient petition has been filed against the work as set forth in Section 12 of The Local Improvement Act.

iv. That the City Solicitor be authorized and directed to prepare the necessary By-laws to:

(a) close that portion of Hill Street shown as Parts 1, 2 and 3 on Plan RC-H-236 Surveys;

(b) establish Part 8 on Plan RC-H-236 Surverys, now a public alley, as a portion of Hill Street;

(c) establish Parts 1, 9 and 10 on Plan RC-H-236 Surveys as a portion of Hill Street;

(d) incorporate Part 18 on Plan RC-H-236 Surveys into Hill Street as a widening;

(e) incorporate Part 19 on Plan RC-H-236 Surveys into Richmond Street as a widening;

(f) establish Part 15 on Plan RC-H-236 Surveys as a public alley.

v. That an easement over Part 25 on Plan RC-H-236 Surveys be granted to Union Gas for $1.00 in order to protect their existing gas main at this location.

vi. That the City Solicitor be authorized and directed to prepare the required easement agreement and the appropriate municipal officials execute this agreement.

vii. That the necessary By-law be prepared by the City Solicitor and the City Clerk be authorized and directed to advertise this By-law as required by Section 301 of The Municipal Act, outlining the City's intention to proceed with the altering, diverting, widening and establishing of Hill Street from Dundurn Street to Poulette Street.

viii. That the Finance Committee be requested to recommend the method of financing.

31. That:

i. in accordance with By-law 66-100, the **Steel Company of Canada be given an annual overload permit for the year 1984** for each of the seven stated vehicles for the total fee of $2 453.

ii. 17% or $417.01 be credited to the City of Hamilton account number 0405-203451 and that 83% or $2 035.99 be credited to Regional account number 0310-5187.

32. WHEREAS Clause 11(b) of the Eighth Report of the Planning and Development Committee, as adopted by City Council at its meeting held on 1979 February 27, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of Thorner Survey No. 3,** Gaetano Malatesta, Raffaele Malatesta, Umberto Difranco and Carmine Marzilli;

IT IS RECOMMENDED THAT:

i. The engineering schedules for the estimated cost of services in "Thorner Survey No. 3", **appended hereto,** as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;

ii. The City's share for the cost of services for this development ($43 535.12) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

TYPE OF WORK	AMOUNT TO BE FINANCED
Preliminary Roads, incl. catch basins	$8 762.97
Curbs and Sidewalks	5 160.38
Final Roads	23 213.25
Sodding and Street Trees	1 118.82
Watermains	3 779.70
Street Lighting	1 500.00
TOTAL	$43 538.12

iii. The approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered; and

iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

33. WHEREAS Clause 3(b) of the Second Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1984 February 14, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of Gilkson Woods Addition - Phase 3,** Stanlow Holdings Limited;

IT IS RECOMMENDED THAT:

i. The submitted schedules for the estimated cost of services in "Gilkson Woods Addition - Phase 3", **appended hereto,** as approved by the Commissioner of Regional Engineering be adopted for inclusion in the proposed Subdivision Agreement;

ii. The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

iii. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

34. It is recommended that the **authorization granted by City Council** in adopting Item 13 of the 19th Report of the Transport and Environment Committee, on 1981 October 27, **be rescinded.**

NOTE: City Council, on 1981 October 17, granted permission to the two abutting property owners, Mr. R. J. Hanley and Mr. D. Bean, to close the north-south alley bounded by Hyde Park Avenue, Flatt Avenue, Glenside Avenue and Aberdeen Avenue. The City Solicitor has attempted, on numerous occasions, to obtain the applicants' intentions regarding this closure application. The solicitor for the applicant has replied to the City Solicitor's enquiry that he is unable to secure his clients' instructions whether or not to proceed with this closure request.

In view of the foregoing and of the City Solicitor's request, it would therefore be appropriate to rescind Council permission approving this closure request.

35. That the **application of Mr. M. A. Scholes, on behalf of the owner(s) of 119 Ray Street South to retain the following inadvertent encroachments** on the road allowance of:

    i. Hunter Street West, existing 2 1/2 storey brick building, wood deck and concrete porch, approximately 0.89 m by approximately 14.75 m;

    ii. Ray Street south, existing concrete steps and pad, approximately 1.96 m by approximately 1.82 m

    be approved during the pleasure of City Council, provided that:

    (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

    (b) An annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

36. That the **application of Mr. M. J. Lewis, on behalf of the owner(s) of 154 Caroline Street South to retain the following inadvertent encroachment** on the road allowance:

    i. Front steps approximately 0.30 m by approximately 1.82 m

    be approved during the pleasure of City Council, provided that:

    (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

    (b) An annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

37. That the **application of Mr. K. R. Dore, on behalf of the owner(s) of 145 Grant Street to retain the following inadvertent encroachment** on the road allowance:

    i. Existing wooden entrance stairway approximately 1.19 m by approximately 2.89 m

    be approved during the pleasure of City Council, provided that:

    (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

    (b) An annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

38. That the **application of Mr. W. L. Gordon, on behalf of the owner(s) of 74 Traymore Street, to allow the following inadvertent encroachment:**

i. Concrete porch approximately 1.32 m by approximately 1.88 m

be approved during the pleasure of City Council, provided that:

i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

ii. An annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

39. That the **application of Mr. T. A. Whelan, on behalf of the owner(s) of 58 Dundurn Street North, to allow the following proposed roadway encroachments** on the road allowance of Lamoreaux Street:

i. proposed wheel chair ramp
ii. entrance steps
iii. retaining walls
iv. paving stones; and
v. curbs approximately 13.25 m by approximately 45 m

be approved during the pleasure of City Council, provided that:

i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

ii. An annual fee of $11 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

40. That:

i. The Commissioner of Engineering be **authorized to issue two (2) purchase orders** on behalf of the City of Hamilton as follows:

CN Rail	$28 000
T.H. & B. Railway	$36 300

for annual maintenance of automatic protection at level railway crossings on City of Hamilton Streets for 1984.

ii. The expenditures be charged to Account No. 0352-0361 (Railway Crossing Maintenance).

41. That the **lease between the City of Hamilton and Mr. Nicholas Fragis for space at Hamilton Civic Airport** for the operation of a restaurant and lounge, which expired March 31, 1984, **be continued** on a monthly basis at the same rent and terms, to November 29, 1984.

And further reaffirm the approval of August 30, 1983 to renew this lease with Mr. Fragis for five years commencing December 1, 1984 at a rent agreeable to both parties and Transport Canada.

42. That **Canadian Warplane Heritage Inc. be required to enter into a lease agreement** commencing May 1, 1984 and terminating April 30, 1985 covering the use of 30 acres of land at Hamilton Civic Airport to be used for parking purposes during the 1984 Airshow weekend, June 15th to June 18th, at an annual rental of $300 plus taxes.

NOTE: It is further understood that this annual lease can be cancelled by a 30 day notice should the City of Hamilton or Transport Canada require all or part of the lands for Airport purposes.

43. That **Canadian Warplane Heritage Inc. lease the entire General Aviation apron area** containing approximately 303 264 square feet for four days, June 15th to June 18th, 1984, at a rental of $166.17 plus taxes if applicable.

44. That **approval be given to the following rental charges for the East/West apron area,** for aircraft parking, for the period April 1st to November 29, 1984:

Hamilton Flying Club 4 spaces - 6 400 sq. ft.	$213 plus taxes
Peninsula Air Services Limited 10 spaces - 16 000 sq. ft.	$533 plus taxes
Glanford Helicopter Service Limited 3 spaces - 4 800 sq. ft.	$160 plus taxes

45. That **approval be given for the sale of 151 East 21st Street,** having a frontage of 24.32 feet by a depth of 112 feet, to Peter Szlichta in the amount of $12 000.

NOTE: The Offer to Purchase was duly executed on April 24, 1984 and is scheduled to close on August 24, 1984. A money order in the amount of $500 is being held by the City Treasurer pending approval by City Council.

The sale of the lot is conditional upon:

(a) The Purchaser obtaining at his own expense, a permit to erect a residential dwelling on this property on or before July 23rd, 1984, otherwise this Offer shall be null and void and the Purchaser's deposit shall be returned to him in full without interest or penalty.

(b) The Purchaser is hereby authorized by the City, the present owner, to apply to the Building Department, for the said Building Permit to permit the construction of a single family residential dwelling.

(c) This Agreement may be terminated by the Purchaser if on or before July 23rd, 1984, he notifies the Vendor in writing by regular mail or delivery to the Vendor's address that he has been unable to obtain at his own expense a Building Permit for the construction of a residential dwelling on this property. Upon receipt of this notice the Agreement shall become null and void and the Purchaser's deposit shall be returned to him in full without interest or penalty. If no such notice is received, this term of contract shall be valid and binding whether or not such permit has been obtained.

The proceeds of this sale are to be credited to account 0280-02.

46. That the Chairman of the Transport and Environment Committee or his designate be **authorized to attend the 77th Air Pollution Control Association's Annual Meeting** and Exhibition in San Francisco, June 24-29, 1984.

47. That the Chairman of the Transport and Environment Committee or his designate be **authorized to attend the National Solid Waste Management Association's Annual Trade Show and Convention** in Chicago, Illinois, June 12-15, 1984.

48. That leave be granted to introduce the following bills:

(a) A-18 By-law to Amend By-law No. 78-94 Respecting Municipal Weed Inspectors

(b) A-19 By-law to Amend By-law No. 66-100 to Regulate Traffic

(c) A-20 By-law to Amend By-law No. 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED

ALDERMAN H. MERLING, CHAIRMAN

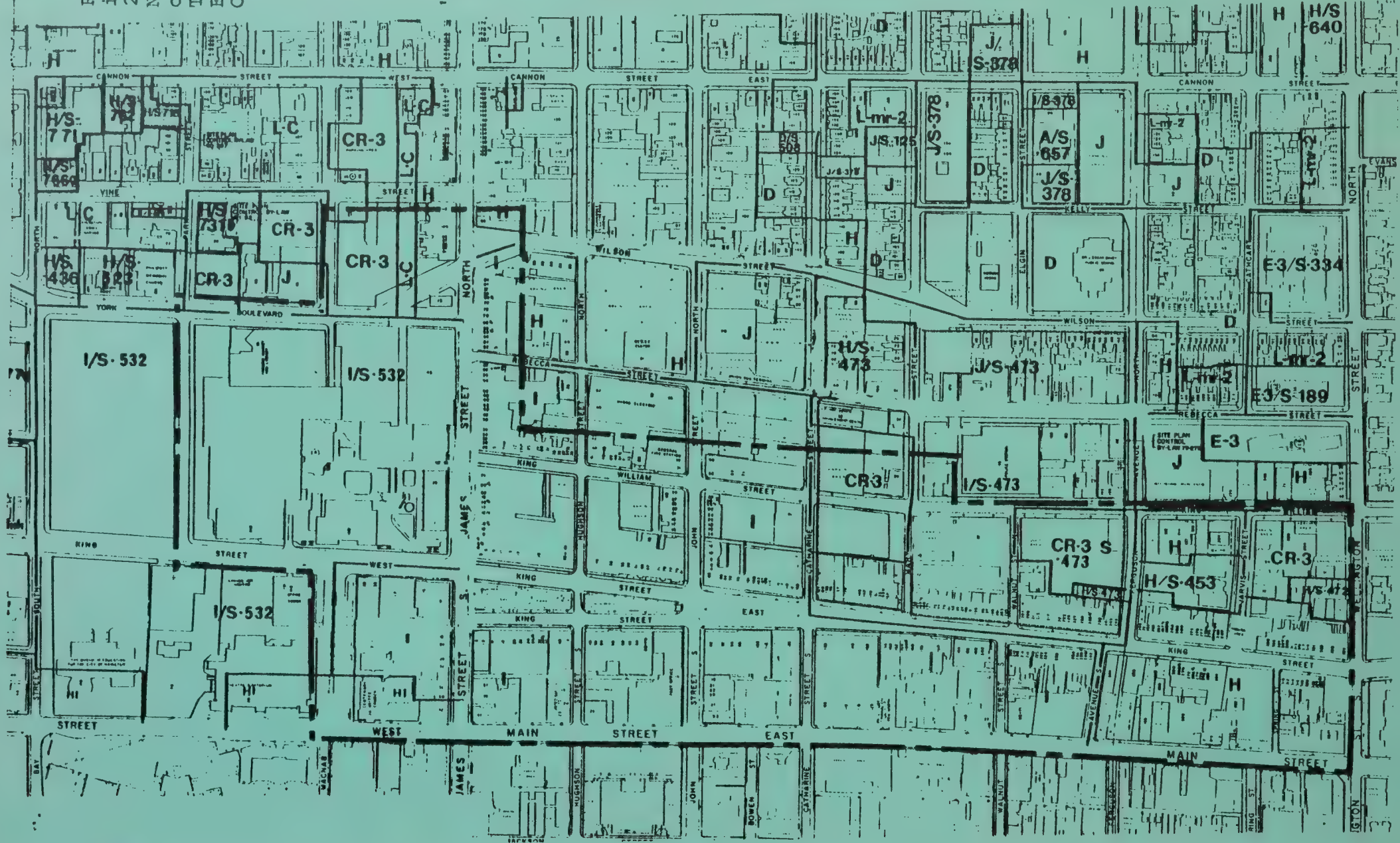
R. C. Prowse, Secretary
Attach.

1984 May 07

Referred to in Section 23 of the Ninth Report of the Transport & Environment Committee.

'Appendix A'

Downtown Hamilton Action Plan
Study Area



Referred to in Section 29 of the Ninth Report of the Transport and Environment Committee.

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Character or description of work or undertaking:

	Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
1.	3.66 m wide concrete alley, first north of Main Street (Section 11, L.I.A.)	Running from Crosthwaite Avenue to Garside Avenue (east-west portion only)	801-43H	20	$15 000	$3 158.80	$11 841.20	46 m	$1 840	$40
2.	3.66 m wide concrete alley (Section 11, L.I.A.)	In the block bounded by King William Street East Avenue, Wilson Street and Emerald Street	801-46H	20	$27 000	$12 744.00	$14 256.00	NIL	NIL	$40

- Estimated cost per metre increased by approx. 125% if debentured over 15 years.

DATED at Hamilton this day of A.D., 19

W. H. McFarland
Treasurer and Commissioner of Finance.

J. R. G. Leach
Commissioner of Engineering

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Character or description of work or undertaking:

	Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
3.	3.66 m wide concrete alley (Section 11, L.I.A.)	In the Block bounded by King William Street, Emerald Street, Wilson Street and Tisdale Avenue	801-47H	20	$25 000	$13 700	$11 300	32.5 m	$1 300	$40
4.	3.66 m wide concrete alley (Section 11, L.I.A.)	In the Block bounded by Dunsmure Road, Belmont Avenue, Roxborough Avenue and Kensington Avenue	801-48H	20	$35 500	$16 160	$19 340	NIL	NIL	$40

A.17

- Estimated cost per metre increased by approx. 125% if debentured over 15 years.

DATED at Hamilton this day of A.D., 19

W. H. McFarland
Treasurer and Commissioner of Finance,

J. R. G. Leach
Commissioner of Engineering

Referred to in Section 30 of the Ninth Report of the Transport and Environment Committee.

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Character or description of work or undertaking:

	Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
1.	8.5 m wide finished roadway on Hill Street (Section 12, L.I.A.	From Dundurn Street to Poulette Street	808-40A	20	$113 000	$54 350.40	$58 649.60	79 m	$10 323.30	$130
2.	1.5 m wide combined sidewalks and curbs on both sides of Hill Street (Section 12, L.I.A.)	From approximately 58 m east of Dundurn Street to Poulette Street	808-40B	20	$43 500	$14 025.76	$29 474.24	122.65 m	$6 868.40	$56
3.	8.5 m wide finished roadway on Richmond Street (Section 12, L.I.A.)	From Hunter Street to Hill Street	808-40C	20	$62 000	$15 944.50	$46 055.50	20.57 m	$2 674.10	$130

- Estimated cost per metre increased by approx. 125% if debentured over 15 years.

DATED at Hamilton this day of A.D., 19

W. H. McFarland
Treasurer and Commissioner of Finance.

J. R. G. Leach
Commissioner of Engineering

A.18

Referred to in Section 32
of the Ninth Report of
the Transport and
Environment Committee.

SCHEDULES "E","F","F1" & "G"

ESTIMATES OF COSTS OF SERVICES

FOR

THORNER No. 3 SUBDIVISION

IN THE

CITY OF HAMILTON

Prepared by: D. Smith

ASHENHURST NOUWENS LIMITED
ENGINEERING AND LAND SURVEYING
180 James Street South
Hamilton, Ontario

Date: April 11, 1984

Commissioner of Engineering

Date:

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
Department of Engineering

ENGINEER'S ESTIMATES OF COSTS OF SERVICES FOR

THORNER No. 3 SUBDIVISION

SCHEDULE "E"

Requirements for Boundary Highways and Estimates of Costs.

PART "A"

Works to be installed and paid for by the subdivider	nil

PART "B"

Works to be carried out as local improvements.	nil

ENGINEER'S ESTIMATES OF COSTS OF SERVICES FOR

THORNER No. 3 SUBDIVISION

SCHEDULE "F"

Requirements for other than boundary highways works to be installed by and paid for by the Subdivider except where shown otherwise.

		ESTIMATED COSTS	
		SUBDIVIDER	CITY
1. PRELIMINARY ROADS - INCLUDING CATCH BASINS			
a) Villa Nova Drive			
-245 L.M. (equiv.) of 8.5m and 12.2m wide road @ $77.00/LM	- 18,865.00		
-Catch Basins	- 6,500.00		
	25,365.00		
CITY'S SHARE (Extra width)	- 3,542.00		$ 3,542.00
OWNER'S SHARE (199L.M. eq.)	- 21,823.00	$ 21,823.00 (86.04%)	(13.96%)
b) Deerborn Drive			
-84 L.M. (equiv.) of 8.5m wide road @ $77.00/LM	- 6,468.00		
-Catch Basin	- 1,300.00		
-Dead-End Barricade	- 1,000.00		
	8,768.00		
CITY' SHARE (50%)			4,384.00
OWNER'S SHARE (50%)		4,384.00 (50%)	(50%)
c) Volturno Drive			
-22 L.M. (equiv.) of 8.5m wide road at $77.00/LM	- 1,694.00		
-Dead-End Barricade	- 1,000.00		
	2,694.00		
CITY'S SHARE			nil
OWNER'S SHARE		2,694.00 (100%)	

NOTE: ALL PRELIMINARY ROADS TO BE CONSTRUCTED WITHIN TWO MONTHS AFTER COMPLETION OF SEWER AND WATER SERVICES.

ENGINEER'S ESTIMATES OF COSTS OF SERVICES FOR

THORNER No. 3 SUBDIVISION

SCHEDULE "F" (Cont'd)

		SUBDIVIDER	CITY
2. SIDEWALKS AND CURBS			
a) Villa Nova Drive and Volturno Drive			
450 L.M. of 1.5m wide combined walk and curb @ $55.00/LM	- 24,750.00		
CITY'S SHARE			nil
OWNER'S SHARE (100%)		$ 24,750.00 (100%)	
b) Deerborn Drive			
139 L.M. of 1.5m wide combined walk and curb @ $55.00/LM	- 7,645.00		
CITY'S SHARE (based on 83.32m of 139m total on City side of road or 60%)			$ 4,587.00 (60%)
OWNER'S SHARE		3,058.00 (40%)	

NOTE: ALL WALKS AND CURBS TO BE COMPLETED WITHIN SIX MONTHS OF COMPLETION OF SEWER AND WATER SERVICES

ENGINEER'S ESTIMATES OF COSTS OF SERVICES FOR

THORNER No. 3 SUBDIVISON

SCHEDULE "F" (Cont'd)

		SUBDIVIDER	CITY
3. FINAL ROADS			
a) Villa Nova Drive			
i) From Upper Sherman Ave. to westerly limit of Volturno Dr.			
- 71 L.M.(eq.) of 12.2m wide road @ $240/LM	- 16,800.00		
City Share (extra width) (30%)	- 5,040.00		
	11,760.00		
City Share (extra depth) (30%)	- 3,528.00		
	8,232.00		
Total OWNER'S SHARE		$ 8,232.00 (49%)	
Total CITY'S SHARE			$ 8,568.00 (51%)
ii) From westerly limit of Volturno Dr. to approx. 30m westerly.			
- 30 L.M. of average 10.35m wide road @$200/LM	- 6,000.00		
City share (extra width- 10.35 vs. 8.5 or 18%)	- 1,080.00		
	4,920.00		
City Share (extra depth) (30%) .	- 1,476.00		
	3,444.00		
Total OWNER'S SHARE		3,444.00 (57.4%)	
Total CITY'S SHARE			2,556.00 (42.6%)
iii) From 30m east of Volturno to Deerborn Dr.			
- 104 L.M.(eq.) of 8.5m wide road @ $150/LM	-15,600.00		
City share (extra depth) (30%)	- 4,680.00		4,680.00 (30%)
OWNER'S SHARE	10,920.00	10,920.00 (70%)	

ENGINEER'S ESTIMATES OF COSTS OF SERVICES FOR

THORNER No. 3 SUBDIVISION

SCHEDULE "F" (Cont'd)

	SUBDIVIDER	CITY
3. FINAL ROADS (Cont'd)		
b) Deerborn Drive		
- 84 L.M. of 8.5m wide roadway @ $ 115/LM - $ 9,660.00		
CITY'S SHARE (50%)		$ 4,830.00 (50%)
OWNER'S SHARE (50%)	$ 4,830.00 (50%)	
c) Volturno Drive		
- 22 L.M.(equiv.) of 8.5m wide roadway @ $115/LM - 2,530.00		
CITY'S SHARE		nil
OWNER'S SHARE	2,530.00	

NOTE: The asphalt binder course may be completed at any time prior to the completion of the surface course asphalt.

The asphalt surface course is to be completed not earlier than 12 months, and not later than 18 months after the completion of sewer and water services. If the 18 months period falls between' November 1st and April 1st, then the surface course of asphalt must be completed by June 30th of the same year following April 1st'.

TOTAL OWNER'S SHARE	$ 86,665.00	
TOTAL CITY'S SHARE		$ 33,147.00

ENGINEER'S ESTIMATES OF COSTS OF SERVICES FOR
THORNER No. 3 SUBDIVISION

SCHEDULE "F" (con't)

	SUBDIVIDER	CITY
4. STREET LIGHTING		
a) Villa Nova Drive 5 @ $1500.00 each	$ 7,500.00	Nil
b) Deerborn Drive 2 @ $1500.00 each	$ 1,500.00	$ 1,500.00
c) Volturno Drive	Nil	Nil
TOTAL	$ 9,000.00	$ 1,500.00

NOTE: Street lighting is to be installed by Hamilton Hydro and cost shared by the Subdivider and the City as shown.

ENGINEER'S ESTIMATES OF COSTS OF SERVICES FOR

THORNER NO. 3 SUBDIVISION

SCHEDULE "F-1"

City's share of sewer and water services

PART "A"

Construction Costs (including contingency, maintenance, and regional inspection fees)

1) SEWERS - STORM AND SANITARY	nil
2) WATERMAINS	
Deerborn Drive - from: Southerly Subdivision Limit to: 57.84 m Northerly	
Total Cost: $ 7,032.00	
CITY'S SHARE (Based on 50% of 57.84 m Frontage)	$ 3,516.00

PART "B"

Cost of Engineering and Supervision (7.5% of $ 3,516.00	263.70
	$ 3,779.70

ENGINEER'S ESTIMATES OF COSTS OF SERVICES FOR

THORNER No. 3 SUBDIVISION

SCHEDULE "G"

Requirements for seeding and planting trees.

PART "A"

Works to be carried out by the Subdivider and costs shared as shown.

		SUBDIVIDER	CITY
Frontage and flankage on all lots and blocks on Villa Nova Drive, Deerborn Drive and Volturno Drive.			
Sodding - 2250 SQ.M. @ $ 2.50/SQ.M.	- $ 5,625.00		
Maintenance - 15%	- 843.75		
	$ 6,468.75		
CITY'S SHARE - (Based on 359 SqM on City side of Deerborn of 2250 SqM Total or 16%)			$ 1,035.00 (16%)
OWNER'S SHARE		$ 5,433.75 (84%)	
NOTE: All Sodding to be completed within 6 months of completion of sidewalks and curbs			
TOTAL FOR PART "A"	- OWNER	$ 5,433.75	
	- CITY		$ 1,035.00

PART "B"

Works to be installed by the City and paid for by the Subdivider except where shown otherwise.

STREET TREES

Villa Nove Drive, Deerborn Drive, Volturno Drive and Upper Sherman Avenue.

Total Frontage, Reverse Frontage and Flankage of 584 m @ 1.00/M	- 584.00		
City's share based on 83.82 of Total of 584m or 14.27%	- 83.82		83.82 (14.27%)
ONWER'S SHARE	500.18	500.18 (85.73%)	
TOTAL FOR PART "B"	- OWNER	500.18	
	- CITY		83.82

SUMMARY SHEET

(SCHEDULES E, F1, F & G)

1. City's Share

a) Maintenance of Preliminary Road - ½ of 84L.M. @ 2.00/LM $ 84.00

b) Sodding (including 15% Maintenance of $135.00) $1 035.00

c) Tree Planting $ 83.82

d) Street Lighting $1 500.00

e) Services to be installed by the Subdivider and paid for by the City

Type of Work	Const'n Cost	Maintenance (3%)	Inspection (2%)	Engineering (7.5%)	Total
Preliminary Roads (incl. C.B.)	$7 926.00	-----	$158.52	$ 594.45	$ 8 678.97
Sidewalks & Curbs	4 587.00	$137.61	91.74	344.03	5 160.38
Final Roads	20 634.00	619.02	412.68	1 547.55	23 213.25
Sewers	NIL	-----	-----	-----	-----
*Watermains	3 516.00	-----	-----	263.70	3 779.70
			TOTAL CITY SHARE		$43 535.12

* NOTE: Construction costs for sewers and watermains include 3% Inspection fees and 3% Maintenance fees.

2. Subdivider's Share

a) Local Improvements	nil
b) Tree Planting	$ 500.18
c) Replacing of damaged or missing survey monuments and standard iron bars	1,000.00
d) Maintenance of Preliminary Roads (309 L.M. equiv. @ 2.00/LM)	618.00
e) Street Name Signs (6 Corner Lots @ $38.00)	228.00
f) Sodding (including 15% Maintenance of 708.75)	5,433.75
g) Street Lighting	9,000.00
h) Services to be installed and paid for by the Subdivider:	

Type of Work	Const'n. Cost	Maintenance (3%)	Inspection (2%)	Engineering (7.5%)	Total	
Preliminary Roads (Incl. C.B.)	$ 28,901.00	-	$ 578.02	$ 2,167.58	$ 31,646.60	
Sidewalks & Curbs	27,808.00	$ 834.24	556.16	2,085.60	31,284.00	
Final Roads	29,956.00	898.68	599.12	2,246.70	33,700.50	
					$ 96,631.10	96,631.10

TOTAL SUBDIVIDER'S SHARE $113,411.03

Total City Share	- $ 43,535.12
Total Subdivider Share	- 113,411.03
Grand Total of All Work	- $156,946.15

Submitted by: _____

ASHENHURST NOUWENS LIMITED
ENGINEERING AND LAND SURVEYING
Hamilton, Ontario

Date: April 11, 1984

Approved by: _____

Date:

Referred to in Section 33 of the Ninth Report of the Transport & Environment Comm te

A. J. Clarke and Associates

SCHEDULES "E", "F" & "G"

GILKSON WOODS ADDN. (PHASE 3)

CITY OF HAMILTON

Submitted by: A.J. Clarke & Associates Ltd.

Ardeshir J. Irani

A.J. Irani, P Eng.

Date: April 3, 1984

Approved by: J.W. Leach

Commissioner of Engineering

Date: Ap. 27/84

Regional Municipality of Hamilton-Wentworth
Department of Engineering

SCHEDULE "E"

GILKSON WOODS ADDN. (PHASE 3)

Requirements for Boundary Highways and Estimate of Costs.

PART "A"

Works to be carried out and paid for by the Subdivider.

1. **UPPER PARADISE ROAD,** sidewalks on east side only, from north limit of subdivision to south limit of subdivision (including regrading of ditch)	
106.2 m at $60.00/m	$ 6,372.00
TOTAL FOR SCHEDULE "E" PART "A"	$ 6,372.00

PART "B"

Works to be carried out as Local Improvements.

NIL

C

SCHEDULE "F"

GILKSON WOODS ADDN. (PHASE 3)

Requirements for other than Boundary Highways.
Works to be installed by Subdivider and costs shared as shown.

	Estimated Cost	
	Subdivider	City
1. **CRANBROOK DRIVE** from east limit of subdivision to cul-de-sac.		
210 m of equivalent 8.0 m wide roadway.		
a) Curbs and Walks 365m at $60.00/m	$ 21,900.00	-
b) Final Roadways and Lot Grading (standard deep strength asphalt pavement)		
210 m at $260.00/m	$ 54,600.00	-
c) Catch Basins and Connections		
3 single c.b.'s at $1100.00 ea.	$ 3,300.00	-
2 d.c.b.'s at $1800.00 ea.	$ 3,600.00	-
d) Street lighting		
4 at $1500.00 each	$ 6,000.00	-
2. **GLENHAVEN DRIVE** from Cranbrook Drive to south limit of subdivision.		
65m of equivalent 8.0m wide roadway		
a) Curbs & Walks 125m at $60.00 /m	$ 7,500.00	-
b) Final Roads and Lot Grading (standard deep strength asphalt pavement)		
65m at $260.00 / m	$ 16,900.00	-
c) Catch basins and Connections		
2 single c.b.'s at $1100.00 ea.	$ 2,200.00	
1 inlet chamber at $2500.00 ea.	$ 2,500.00	
d) Dead End Street Barricade 1 at $800.00 ea.	$ 800.00	-
e) Street Lighting	$ 1,500.00	-

3. **GREENSHIRE DRIVE** from Cranbrook Drive to south limit of subdivision.

65m of equivalent 8m wide roadway.

a) Curbs and Walks 120 m at $60.00 / m	$ 7,200.00	-
b) Final Roads and Lot Grading 65 m at $260.00 / m	$ 16,900.00	-
c) Catch Basins and Connections 2 single c.b.'s at $1100.00 ea.	$ 2,200.00	-
d) Dead End Street Barricade 1 at $800.00 each	$ 800.00	-
e) Street Lighting	$ 1,500.00	-
TOTAL	$149,400.00	-

Notes:

1. No Preliminary roads to be installed.
2. All walks and curbs and approaches to be constructed within 6 months of completion of sewer and water services.
3. The asphalt binder course for all final roads must be constructed within 6 months of completion of sewer and water services.
4. The asphalt surface course is to be completed not earlier than 12 months and not later than 18 months after the completion of the sewers. If the 18 month period falls between Nov. 1st and April 1st, then the asphalt surface course must be completed by June 30th of the same year following April 1st.
5. Street Lighting is to be installed by Hamilton Hydro and paid for by the subdivider.

SCHEDULE "G"

GILKSON WOODS ADDN. (PHASE 3)

PART "A"

Works to be carried out and paid for by the Subdivider.

SEEDING

4.25m wide boulevard for frontage and flankage of
Lots 1 to 38 and
6.4m wide boulevard for frontage of Block 40
(along Upper Paradise Road)

Cost calculated at $2.40/m^2 for a total of 3120.60 m^2.	$ 7,489.00
Maintenance (15%)	$ 1,123.00
TOTAL FOR PART "A"	$ 8,612.00

PART "B"

Works to be carried out by City and paid for by the Subdivider.

TREES

Frontage and flankage of Lots 1 to 38

Cost calculated at $1.00/m^2 for a total of 574.32m.	$ 574.32
TOTAL FOR PART "B"	$ 574.32

Note: All seeding to be planted within 6 months of completion of sidewalks and curbs.

A. J. Clarke and Associates

SUMMARY SHEET

1. CITY'S SHARE

NIL

2. SUBDIVIDER'S SHARE

A. Services to be installed and paid for by the Subdivider

	Construction Cost	
1. Curbs and Walks	$ 42,972.00	
2. Final Roads & Lot Grading	$ 88,400.00	
3. Catch Basins & Connections	$ 13,800.00	
4. Dead-End Street Barricades	$ 1,600.00	
Total Construction Cost	$146,772.00	
Inspection (2%)	$ 2,935.00	
Maintenance (3%)	$ 4,403.00	
Engineering (8%)	$ 11,742.00	
Sub-Total	$165,852.00	$165,852.00
B. Local Improvements		-
C. Replacing damaged or missing survey monuments & S.I.B.'s.		$ 2,650.00
D. Tree Planting.		$ 574.32
E. Street name signs (4 corner lots at $38/corner lot)		$ 152.00
F. Seeding (including maintenance of $1123.00)		$ 8,612.00
G. Street lighting.		$ 9,000.00
TOTAL SUBDIVIDER'S SHARE		$ 186,840.32

Total City's Share	$ -
Total Subdivider's Share	$186,840.32
Grand Total	$186,840.32

C

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **ELEVENTH** Report for 1984 and respectfully recommends:

1. Approval of the awarding of the following contracts:

   (a) **PETRO-CANADA, Burlington, Ontario**

   Supply and delivery of #2 Furnace Oil as required for 1984/85 Season, for Various Civic Buildings, in accordance with specifications issued by the Board of Education and Vendor's Tender as follows:

   Light Industrial #2 Fuel Oil - $ 0.2571 Per Litre
   Price subject to increase in tank wagon price in effect at time of delivery.
   Approximate total contract..... $18,000.00.

   NOTE: Lowest of 5 tenders.

   (b) **MINISTRY OF TRANSPORTATION AND COMMUNICATIONS, Province of Ontario**

   Three (3) used 1972 International Trucks, One (1) used 1973 International Truck, One (1) used 1974 International Truck and One (1) used Sander Box.

   For a total cost, including tax of .....$20,972.00.

2. (a) That the increases in rents for City owned properites as set forth on Schedule "A" attached, be approved effective September 1, 1984.

   (b) That the increases in rents for City owned properties as set forth on Schedule "B" attached, be approved effective December 1, 1984.

3. That the 1984 Recontruction/Resurfacing Program, as approved by the Transport and Environment Committee, in the gross amount of $5,260,000, and which was previously limited to financing from the City of Hamilton in the amount of $3,000,000, now be extended to $3,252,000 as indicated in the 1984-1988 Capital Budget with the additional financing to be allocated from the 1984 Capital Levy and the balance of the financing to come from the roadway subsidy from the Ministry of Transportation and Communication, estimated at $2,008,000.

4. Section 29 of the Ninth Report of the Transport and Environment Committee makes reference to the construction of an alleyway, north of Main Street running from Crosthwaite Avenue to Garside and requests the Finance Committee to recommend the method of financing the costs involved.

   In this regard the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct a 3.66 m wide concrete alleyway, first north of main Street running from Crosthwaite Avenue to Garside Avenue (east-west portion only), at an estimated cost of owner's share $3,158.80, as well as City's share $11,841.20, by the issuance of debentures totalling $15,000.00 for a period not to exceed 15 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of $15,000.00 for a term not to exceed 15 years for the above project.

5. Section 29 of the Ninth Report of the Transport and Environment Commitee makes reference to the construction of an alley bounded by King William Street, East Avenue, Wilson Street and Emerald Street and requests the Finance Commitee to recommend the method of financing the costs involved.

   In this regard the Finance Commitee recommends that the City Solicitor be authorized and direct to make application to the Ontario Municipal Board for approval to construct a 3.66 m wide alley in the block bounded by King William Street, East Avenue, Wilson Street and Emerald Street, at an estimated cost of owner's share $12,744, as well a City's share $14,256, by the issuance of debentures totalling $27,000 for a period not to exceed 15 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of $27,000 for a term not to exceed 15 years for the above project.

6. Section 29 of the Ninth Report of the Transport and Environment Committee make reference to the construction of an alley in the block bounded by King William Street, Emerald Street, Wilson Street and Tisdale Avenue and requests the Finance Committee to recommend the method of financing the costs involved.

   In this regard the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct a 3.66 m wide concrete alley in the block bounded by king William Street, Emerald Street, Wilson Street and Tisdale Avenue, at an estimated cost of owner's share $13,700, as well as City's share $11,300, by the issuance of debentures totalling $25,000 for a period not to exceed 15 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of $25,000 for a term not to exceed 15 years for the above project.

7. Section 29 of the Ninth Report of the Transport and Environment Committee makes reference to the construction of an alley in the block bounded by Dunsmure Road, Belmont Avenue, Roxborough Avenue and Kensington Avenue and requests the Finance Committee to recommend the method of financing the costs involved.

In this regard the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct a 3.66 m wide concrete alley in the block bounded by Dunsmure Road, Belmont Avenue, Roxborough Avenue and Kensington Avenue, at an estimated cost of owner's share $16,160, as well as City's share $19,340, by the issuance of debentures totalling $35,500 for a period not to exceed 15 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the toal amount of $35,500 for a term not to exceed 15 year for the above project.

8. Section 3 of the Ninth Report of the Transport and Environment Committee make reference to the construction of a Vehicle Maintenance Facility - Central Garage and requests the Finance Committee to recommend the method of financing the costs involved.

   In this regard the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval of the Vehicle maintenance Facility - Central Garage, at a total estimated cost of $424,000, and the authority to finance this project by the issuance of debentures in the same amount for a period not to exceed 20 years.It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of $424,000 for a term not to exceed 20 years for the above project.

9. Section 30 of the Ninth Report of the Transport and Environment Committee makes reference to the construction of a finished roadway on Hill Street from Dundurn Street to Poulette Street and requests the Finance Commitee to recommend the method of financing the costs involved.

   In this regard the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct a 8.5 m wide finished roadway on Hill Street, from Dundurn Street to Poulette Street, at an estimated cost of Owner's share $54,350.40, as well as City's share $58,649.60, by the issuance of debentures totalling $113,000.00 for a period not to exceed 15 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of $113,000.00 for a term not to exceed 15 years for the above project.

10. Section 30 of the Ninth Report of the Transport and Environment Committee makes reference to construction of combined sidewalks and curbs on both sides of Hill Street and requests the Finance Committee to recommend the method of financing the costs involved.

    In this regard the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct 1.5 m wide combined sidewalks and curbs on both sides of Hill Street, from approximately 58 m east of Dundurn Street to Poulette Street, at an estimated cost of Owner's share $14,025.76, as well as City's share $29,474.24, by the issuance of debentures totalling $43,500.00 for a period not to exceed 15 years. It is further recommended that application be made to the Regional Municipalty of Hamilton-Wentworth for consent to issue debentures in the total amount of $43,500.00 for a term not to exceed 15 years for the above project.

11. Section 30 of the Ninth Report of the Transport and Environment Committee makes reference to the construction of a finished roadway on Richmond Street from Hunter Street to Hill Street and requests the Finance Committee to recommend the method of financing the costs involved.

    In this regard the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct a 8.5 m wide finished roadway on Richmond Street from Hunter Street to Hill Street at an estimated cost of Owner's share $15,944.50, as well as City's share $46,055.50, by the issuance of debentures totalling $62,000.00 for a period not to exceed 15 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of $62,000.00 for a term not to exceed 15 years for the above project.

12. That an amount of $51,500 required for 1983 and 1984 due to the re-orgainziation of the City Clerk's Department, as approved by City Council April 24, 1984, be financed as follows:

    (a) The 1983 requirement of $20,200 be financed by an approved overdraft and that the same amount be transferred from the funds available in the Contingency Account 0378-1198 to a separate category in this Contigency Account under the heading "Allocated".

    (b) That the 1984 requirement of $31,300 be financed by a physical transfer of appropriation from the available funds in the Contingency Account No. 0378-1198 to the appropriate accounts within the City Clerk's and Legislative functions.

13. Section 22 of the Ninth Report of the Transport and Environment Committee makes reference for a School Traffic Officer at the intersection of Whitney Avenue and Emerson Street and requests the Finance Committee to recommend the method of financing the costs involved.

    In this regard the Finance Committee recommends that the amount of $1,750 required for the balance of 1984 to place a School Traffic Officer at the intersection of Whitney Avenue and Emerson Street be financed by means of an approved overdraft in the School Traffic Account No. 0346-01xx.

14. That the interim account of Weir & Foulds dated April 9, 1984 in the amount of $1,405.32 for fees and disbursements be paid. The City's share of this account will be on-half or $702.66 with the balance to be paid by the Region. Also, Weir & Foulds recommended that an independent consultant be retained and it is recommended that DCE Communication Consultants Ltd.'s account of December 30, 1983 in the amount of $1,559.54, account of February 29, 1984 in the amount of $2,542.00, and account of March 27, 1984 in the amount of $1,926.63 be paid. The City's respective share of these accounts are $695.09, $1,132.97 and $858.70 for a total of $2,686.75.

    NOTE: Section 7 of the Twentieth Report of the Finance Committee adopted by City Council at its meeting of November 29/30, 1983 authorized the City Solicitor to retain the sevices of the legal firm of Weir & Foulds to take all

necessary proceedings to protect the City's interest regarding the City's telephone system and that the Council of the Regional Municipality of Hamilton-Wentworth be requested to pass a similar resolution and that the costs be shared by the City and the Region.

15. Settlement of the following claims:

(a) By County Court writ issued April 2, 1981 the City brought action on behalf of itself and its employee Dennis Brellisford to recover damages sustained in a motor vehicle accident that occurred on April 11, 1979 when Mr. Brellisford, who was on foot directing traffic in a snow clearing operation was hit by a motor vehicle owned by Claude R. Legault and operated by Gilbert G. Legault.

Mr. Brellisford suffered injuries to his right elbow.

A settlement has been negotiated with the Legault's insurers and it is recommended that the claims of Mr. Brellisford and the City be settled in the amount of $11,535.41 inclusive of interest and costs, said amount to be paid to the City. After deduction of the City's expenses and costs there will reamin a surplus of $3,432.23 and it is recommended that in accordance with the authority granted under Section 8(4) of the Workers' Compensation Act, R.S.O. 1980, Chapter 539, payment of the surplus be made to Mr. Brellisford.

The Workers' Compensation Act provides that in the event that Mr. Brellisford suffers a recurrence relating to this accident the above mentioned sum of $3,432.23 remains as a credit to the City and will be deducted from the amount of any further compensation or other benefits to which Mr. Brellisford may become entitled to from the Workers' Compensation Board with respect to this accident.

(b) By Supreme Court of Ontario writ issued October 28, 1977, The Tidey Construction Company Limited commenced action against the City for damages for fundamental breach of its contract with the City dated September 27, 1974 regarding additions and alterations to the Jimmy Thompson Memorial Pool. The company claimed the sum of $11,697.74 for allegedly unpaid extra work, $30,793.22 for delay, $15,000.00 for exemplary and punitive damages plus interest and costs.

It is recommended that the claim of The Tidey Construction Company Limited be settled in the amount of $28,247.63, inclusive of interest and costs, said amount to be paid by the City to said company.

16. (a) That Metropolitan Life be appointed as carrier for the Long Term Disability (L.T.D.) plan insurance for the City of Hamilton for a 27-month period to become effective July 1, 1984 and that Sun life Assurance Company Limited of Canada, the City's present carrier, be so notified prior to the end of May 1984 in order to rovide this company with the appropriate 30 days notice of cancellation of their services.

(b) That the City Treasurer initiate a review of the Long Term Disability Insurance Plan prior to the expiration of the 27 month period and submit a report and recommendation as to whether to continue with this firm for a further period of time or to call new tenders.

17. (a) That the Mayor and City Clerk be authorized and directed to execute an agreement between the Corporation of the City of Hamilton and the Art Gallery of Hamilton with respect to the supply of heating, cooling and electrical energy from the City's Central Utilities Plant.

(b) That the agreement be executed and payment of $200,000.00 representing the Art Gallery's contribution towards the capital costs be made to the City by the Art Gallery on or before June 30, 1984.

18 (a) That upon execution of the Agreement referred to in Section 17 of this report, a refund to the Art Gallery in the amount of $24,775.34 representing excess payments be made for the period Janury 1, 1983 to December 31, 1983 for the Central Utilities Plant charges and reduce amounts billed during that period but not yet paid in the amount of $20,641.43 for a total reduction in billings to the Art Gallery of $45,416.77.

(b) Finance the adjusted billings for 1983 by means of an approved overdraft in the Cental Utilities Plant Recovery Account #0360-0256, and that the same amount be transferred from the funds available in the Contingency Account #0378-1198 to a separate category in the Contingency Account under the heading "Allocated".

19. (a) That within 30 days of the execution of the Agreement by both parties, refund to the Art Gallery any overpayments made during the year 1984; and adjust future billings to the Art Gallery to reflect the reduced billings under the Agreement for 1984.

(b) Finance the 1984 refund and adjustments to the billings for the Central Utilities Plant charges, estimated in total to be $26,000, by means of a transfer of appropriation from the Contingency Account #0378-1198 to the recovery account of the Central Utilities Plant Account #0360-0257.

20. Accept the payment of the outstanding capital cost contribution from the Art Gallery of Hamilton of $200,000.00 without interest.

NOTE: It should be noted that no recalculations and adjustments to the City billings for the Central Utilities Plant (C.U.P.) are to take place for periods prior to January 1, 1983, the effective date of the Agreement.

21. Approval of a grant to the United Way of Burlington, Hamilton-Wentworth in the amount of $500.00 to assist in defraying the costs of an event in appreciation of labour's contributions to the United Way and the Community. This grant to be charged to account no. 0374-0198 - Unclassified Grants.

22. Approval of a grant to the Portuguese Association of St. Michael the Archangel in the amount of $1,000.00. This expenditure be charged to account no. 0374-0198 - Unclassified Grants.

23. With the adoption of Section 12 of the Twelfth Report of the Finance Committee, City Council at its meeting on June 28, 1983 approved the proposed lease between the Corporation of the City of Hamilton and the Hamilton Public Library Board for the Central Library building, as drafted by the City Solicitor without alteration to Article 11(b) as requested by the Solicitor for the Library Board.

Since that time negotiations have taken place between the City and Library Board officials with a view to finalizing the agreement.

Not withstanding City Council's decision and negotiations to date, the Library Board advised that it still considers Article 11(b) unacceptable.

In this regard the Finance Committee recommends that City Council reaffirm its decision of June 28, 1983 not to alter Article 11(b), and direct staff to continue negotiations with the Library Board with a view to finalizing this matter.

NOTE: Previously forwarded to the members of City Council were copies of a report dated May 22, 1984 from the City Solicitor to the Finance Committee, and a joint staff report dated May 22, 1984 from the Chief Administrative Officer, Director of Real Estate and the City Architect to the Finance Committee.

Respectfully Submitted,

J. J. Schatz, Secretary
1984 May 24

ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE

SCHEDULE "A" REFERRED TO IN
SECTION 2(a) OF THE ELEVENTH
REPORT OF THE FINANCE COMMITTEE

[redacted]

CITY RESIDENTIAL RENTALS

Address	Tenant	Purpose	Present Rent	Last Increase	Recommended Rent
215 Belmont	Mr.&Mrs. Korz	Park	380.00	July 1/83	400.00
221 Belmont	Mrs. Digby	Park	295.00	July 1/83	325.00
151 Belview	Mr.& Mrs.Dickson	Park	275.00	July 1/83	290.00
172 Belview	Mrs. McPherson	Park	265.00	July 1/83	280.00
499 Charlton Ave.E.	Mrs. Faulkner	Road	325.00	July 1/83	345.00
1305 Golflinks	Mr.&Mrs. Mol	Road	420.00	Sept.1/83	445.00
113 Graham Ave.N.	Mr.&Mrs. Crepeault	Park	300.00	July 1/83	320.00
2546 King St. E.	Mr.&Mrs. Davis	Road	350.00	Mar. 1/83	370.00
2656 King St. E.	Mr.&Mrs. Davis	Road	365.00	July 1/83	390.00
2787 King St. E.	Mr.&Mrs. Toombs Mr.&Mrs. Campagnola	Road	200.00 280.00	July 1/83 July 1/83	210.00 300.00

1150 Leaside	Mr.&Mrs. Tait	Park	275.00	July 1/83	290.00
111 Pottruff Rd. N.	Mr.& Mrs. Ruffell	Park	260.00	July 1/83	275.00
662 Rymal Rd. E.	Mr.& Mrs. Kyle	Road	400.00	July 1/83	425.00
203 Simcoe St. E.	Mrs. Smith	Road	210.00	July 1/83	225.00
7 Limeridge Rd. E.	Mrs. White	Road	265.00	July 1/83	280.00
1142 Upper James	Mr.&Mrs. Thomas	Road	315.00	July 1/83	335.00
1112 Upper Wentworth	Mr. & Mrs. Robson	Road	265.00	July 1/83	300.00
127 West Ave. S.	Mr.&Mrs. McDonaugh	Park	295.00	Aug. 1/83	310.00
788 West 5th	Mrs. Gunn	Road	265.00	July 1/83	280.00
1086 West 5th	Mr.&Mrs. Linglebach	Park	185.00	July 1/83	195.00

SCHEDULE "B" REFERRED TO IN
SECTION 2(b) OF THE ELEVENTH
REPORT OF THE FINANCE COMMITTEE

LIST "B" :-

CITY RESIDENTIAL RENTALS

Address	Tenant	Purpose	Present Rent	Last Increase	Recommende Rent
213 Belmont	Mr.&Mrs. Halligan	Park	285.00	Nov. 1/83	300.00
50 Holly	Mrs. MacDonald	Park	280.00	Nov. 1/83	295.00
122 Province St. N.	Mrs. Miller	Park	275.00	Dec. 1/83	290.00
1192 Upper Gage	Mr. Hayes Miss Southon	Road	375.00	Oct. 5/83	395.00
1075 Upper James	Mrs. Sprague	Road	275.00	Nov. 10/83	290.00

D

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To The Corporation of The City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **TENTH** Report for 1984 and respectfully recommends:

1. That approval be given to **Zoning Application 84-29, A. Vesprini Construction (A Division of 482748 Ontario Incorporated),** owner, to amend the "H" (Community Shopping and Commercial, etc.) District regulations of Section 14 of Zoning By-law No. 6593, to permit a radio broadcasting station on lands so zoned within the City as follows:

   (a) That the Commercial Uses of subsection (X) of Section 14(1) of Zoning By-law No. 6593 be amended by adding after the words "motion picture studio" the words "a radio broadcasting station with or without a studio or theatre", so that the sub-section shall read as follows:

   "(X) A commercial school or a motion picture studio, a radio broadcasting station, with or without a studio or theatre;"

   (b) That the City Solicitor be directed to prepare a By-law to amend the provisions of Zoning By-law No. 6593.

   (c) That the proposed change in Zoning is in conformity with the Official Plan for the Hamilton Planning Area.

   Explanatory Note - The purpose of the By-law is to amend the "H" (Community Shopping and Commercial, etc.) District provisions of Zoning By-law No. 6593, to permit a radio broadcasting station with or without a studio or theatre, on "H" District lands throughout the City.

2. That **Zoning Application 84-26 by Verne B. Brewer, owner,** to provide for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District to permit a Marine Supply Store at Nos. 44-50 Guise Street be denied for the following reasons:

   (a) The proposal is premature pending the completion of the "North End Waterfront Secondary Plan".

   (b) The proposal does not conform to the Official Plan, the North End Redevelopment Plan, or the North End East Neighbourhood Plan.

   (c) The proposal would set a precedent for commercial development in a block which is primarily developed for residential purposes.

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3. That the draft approvals for the following subdivisions, "Mike Yaksich" (Regional File No. 25T-78002), Templemead No. 3 (Regional File No. 25T-77005), Donn Estates (Regional File No. 25T-75517), and Cardinal Heights Addition No. 5 (Regional File No. 25T-80028), be recommended to the Region for one (1) year extensions.

4. That Item 7 of the 21st Report of the Planning and Development Committee, adopted by Council on October 26, 1982 to authorize the purchase of the Ryerson School site from the Board of Education and its resale by the City to Miraletto Holdings Limited for the price of $390,000.00 pursuant to the purchaser's Offer to Purchase dated October 19, 1982, be amended by an Amending Agreement to be entered into between the City and Miraletto Holdings Limited to provide as follows:

   (a) That instead of a performance bond, the purchaser will submit to the City, in a form satisfactory to the City Solicitor, an Irrevocable letter of Credit in the amount of $150,000.00, which Letter of Credit shall be maintained continuously in effect until October 1, 1987;

   (b) That this Letter of Credit shall be submitted to the City on or before June 1, 1984;

   (c) That the City will have the money from the Letter of Credit as liquidated damages if the purchaser defaults in its obligations to the City to:

      (i) complete 50% of the construction (where the construction is being phased) by January 2, 1986;

      (ii) complete 10% of the construction by June 1, 1987; and,

      (iii) carry out such construction in accordance with:

         (1) the site plans approved by the Planning and Development Committee on February 1, 1984;

         (2) the plans submitted to the Building Department on its application for the necessary building permits under tag numbers 50539 and 50048; and,

         (3) the Energy Specifications which were attached to the October 19, 1982 Offer to Purchase.

   (d) That upon receipt of the $150,000.00 Letter of Credit, the City Treasurer be authorized to return to the purchaser the $40,000.00 Letter of Credit being held by the City pending delivery to the City of the performance bond provided for in the October 19, 1982 contract;

   (e) The purchaser has received a building permit for the foundations and submitted plans with his application for a permit for the construction of the balance of the project. The permit for the balance of the construction shall be issued on or before May 31, 1984 provided the plans submitted meet the applicable standards under the by-laws and statutes;

(f) That the sale of the property to the purchaser shall take place on or before June 5, 1984 on the understanding that time is to remain of the essence of the Agreement and all other terms and conditions will remain the same;

(g) That the Board of Education be requested to approve this change in the closing date;

(h) That the purchaser agrees that his construction covenants to the City, which will be set out in the deed between the City and the purchaser, will be revised to include the foregoing; and,

(i) That the City shall be entitled to enforce the purchaser's aforesaid obligations as amended both under the October 19, 1982 Offer to Purchase as revised by the above-mentioned Amending Agreement as well as under the City's Deed to the purchaser, which Deed shall include the above-mentioned obligations of the purchaser.

Explanatory Note - Miraletto Holdings Limited, the purchaser of the property from the City of Hamilton, has requested, on April 17, 1984, City Council approval to change the Agreement of Purchase and Sale which it has with the City be replacing the purchaser's obligation to provide the City with a Performance Bond with an Irrevocable Letter of Credit.

5. That **no action** be taken on the following recommendations respecting the Acquisition and Disposal of Industrial Lands by the City of Hamilton in the North End Area:

(a) That the City indicate to the Ministry of Municipal Affairs and Housing that the Amendment to the Region of Hamilton-Wentworth Act to allow the City to acquire and dispose of lands for industrial purposes be in an area bounded by Barton Street, Parkdale Avenue, Wellington Street, and the Harbour Headline; and,

(b) That the City request the Region of Hamilton-Wentworth to endorse the proposed Amendment.

Explanatory Note - The City has acquired lands in the North End and proposes to dispose of them for industrial purposes. Further acquisitions and dispositions may be desirable in the future. This could be construed as contrary to the Regional Act. The Province had received a request to proceed with the legislation sometime ago and now requires to know the area to which the Amendment will apply.

6. (a) That a moveable-character message board be approved, in principle, on the east face of the King Street Pedestrian Bridge.

(b) That the Regional Engineering Committee be requested to consider granting the necessary approval

(c) That if approvals are granted, proposals be requested from interested advertising company's with revenue to acrue to the City, and further that more detailed costs be prepared by staff to indicate the relative benefits of the City owning its own moveable-character message board.

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7. That the Director, Department of Community Development, be hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing pursuant to the provisions of the Commercial Area Improvement Programme (C.A.I.P.) for funding year 1984/85. For financial assistance in the form of grant and loan to aid in financing the cost of improvements to James and King William Streets and the five (5) Gateway Treatments in 1985 at an estimated gross cost including administration in expenditure year dollars of $1,117,000.

8. That pursuant to Section 217 (14) and (15) of The Municipal Act, R.S.O. 1980, the Downtown B.I.A. Annual Report and Financial Statement for the 11-month period ending 1983 December 31 submitted by the Board of Management, be received.

   Note - A copy of this Report is available from the Secretary for review.

9. (a) That the redevelopment of Parkdale Park be undertaken at a cost not to exceed $100,000. pursuant to the provisions of the Ontario Neighbourhood Improvement Programme.

   (b) That the cost to which references made in (a) above be financed from the appropriate accounts pertaining to the Ontario Neighbourhood Improvement Programme in the Normanhurst Redevelopment Area.

10. That a grant and repayable loan in the amount of $5,000 be approved for Mr. J. Thomas, 172 Rosedale Avenue, for the adaptation of his home to accommodate his son's handicap and that subject to approval, the loan be registered on title indicating that a forgiveable grant in the amount of $2,500 be earned over a 5-year period and the balance of $2,500 be repaid to The Corporation of The City of Hamilton at the time of sale of the property. The interest rate on the repayable portion will be 0%.

11. That the application of Bellray Holding Co., c/o Gulliver Motors, for a Demolition Permit for the demolition of the residential building located at 118 Sanford Avenue North **be denied.**

12. That the City pay compensation to Dairy Queen Frozen Products (Canada) Limited, carrying on business as Dairy Queen Canada Inc. for all its interest in the property known as 125 York Street in the amount of $80,470.36 plus interest pursuant to The Expropriations Act. The said property comprising an area of 6,592 square feet was expropriated under instrument 216049 AB on August 6, 1971 and $46,000 was paid over at that time.

    The closing of this transaction is scheduled for June 11, 1984 and the expenditure is chargeable to Account No. 0405-99986. This settlement represents the completion of all compensation payable in respect of the York Street Urban Renewal Scheme.

13. (a) Revised Payment for 5% Parkland Dedication

(i) That item 21 of the Planning and Development Committee Report 19-83 as adopted by City Council September 27, 1983, be rescinded.

(ii) That the Corporation of the City of Hamilton accept the sum of $7,106.22 as cash payment towards 2/9ths of the required 5% parkland dedication and that 883.37 m^2 be deducted from Robert Shelley Construction Limited's parkland credit balance as the remaining 7/9ths of the required 5% parkland dedication for "Randall Estates - Phase 3" final plan of subdivision.

Note - These lands are located to the east of Upper Gage Avenue and to the north of Stone Church Road East in the Randall Neighbourhood, City of Hamilton.

(b) Cash Payment for 5% Parkland Dedication

That the Corporation of the City of Hamilton accept the sum of $22,723.42 as cash payment in lieu of 5% dedication in connection with "Aspen Estates - Phase 1" final plan of subdivision.

Note - These plans are located east of Upper Wentworth Street and south of the proposed east/west mountain freeway in the Rushdale Neighbourhood, City of Hamilton.

14. That leave be granted to introduce the following Bills:-

(a)	Bill D-64	By-law to Adopt Official Plan Amendment No.17 respecting lands located on the North side of King Street East and east of Nash Road
(b)	Bill D-65	By-law to Adopt Official Plan Amendment No.18 respecting land located at Municipal Nos. 220 and 230 Hempstead Drive
(c)	Bill D-66	By-law to Amend Zoning By-law No.6593 respecting land located at Municipal Nos. 17 - 21 East Avenue South
(d)	Bill D-67	By-law to Authorize the Repair of Buildings and Structures located at No.1 Beulah Avenue
(e)	Bill D-68	By-law to Amend Zoning By-law No.6593 respecting land located at the rear of Municipal Nos. 1288 and 1292 Upper Gage Avenue
(f)	Bill D-69	By-law to Amend Zoning By-law No.6593 respecting land located at the rear of Municipal No.87 Fieldway Drive
(g)	Bill D-70	By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No.591 Rymal Road West
(h)	Bill D-71	By-law to Amend Zoning By-law No.83-226 respecting land in the Homeside Neighbourhood located at Municipal No.1530 Barton Street East

(i) Bill D-72 By-law to Amend Zoning By-law No.6593 respecting land located at Municipal Nos. 220 and 230 Hempstead Drive

(j) Bill D-73 By-law to Amend Zoning By-law No.6593 respecting lands located in the area east of Upper Paradise Road and north of Gemini Drive

(k) Bill D-74 By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No. 27 Mountain Avenue

Respectfully submitted,

ALDERMAN W. McCULLOCH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

J.D. Thompson, Secretary
JDT/sma
1984 May 9

E

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **NINTH** Report for 1984 and respectfully recommends:-

1. That, in the interest of uniformity, all Standing Committees adopt the policy of reporting a tie vote to City Council as a negative recommendation.

2. That the City Solicitor be authorized to prepare a By-law to amend By-law No. 84-15 respecting Ward Boundary Revisions, in order to adjust the Ward Boundary between Wards 6 and 7.

3. As requested by the Hamilton and District Labour Council, that the Property Maintenance Superintendent be authorized and directed to erect a reviewing stand for the annual Labour Day Parade to be held in the City of Hamilton September 3, 1984 and that permission be granted to the Labour Council to use the P.A. System at City Hall.

4. That permission be granted to the following organizations to use the City Hall facilities:-

   (a) The Salvation Army Hamilton Temple for their summer Sunday Evening Services commencing June 17 and concluding Sunday, August 26, 1984.

   (b) Canadian Polish Congress for an Open Air Concert in front of City Hall on Thursday Evening, June 28, 1984 at 8:00 o'clock p.m. The concert will involve the participation of the Polish Choir and Dancing Groups in National dress.

5. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion permit to the Concession Street B.I.A. in connection with their Hamilton Homecoming Celebration.

6. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion permit to the Italo-Canadian Recreation Club, 14 Cannon Street West, Hamilton, in connection with the Anniversary Celebrations of the Club to be held on Friday, June 22 and Saturday, June 23, 1984; and further, that the Liquor Licence Board of Ontario be advised that the City of Hamilton is fully supportive of this event, which is of a quasi-official nature, and that the City would urge special consideration of this event being permitted to take place in the parking lot area of the Club, which is totally fenced off from the public. The City would further recommend the waiving of any further requirements which would necessitate the erection of a tent for this event.

7. That a grant request in the amount of $4,000.00 to the Association of Municipal Tax Collectors of Ontario (A.M.T.C.O.), to be used to provide a banquet to the delegates attending the 1984 Annual Conference of the Association, to be held in the City of Hamilton in September, **be denied.**

   NOTE: The Grant request of the A.M.T.C.O. was defeated on a tie vote.

8. That a grant in the amount of $250.00 be made to the Boy Scouts of Canada, to defray expenses incurred in providing a reception to the reviewing stand dignitaries who participated in this year's annual Scout-Guide Parade, held on May 26, 1984.

9. That a grant in the amount of $250.00 be made to the Hamilton Checker Club to be used to assist in defraying expenses to be incurred in hosting the annual Checker Tournament to be held in the City of Hamilton in September 1984.

10. That approval be given to a grant in the amount of $500.00 to be used to provide a reception to the members of the Royal Command Air Force Band, who will be appearing in concert at Gage Park on June 9, 1984.

11. That a grant in the amount of $300.00 be made to the Canloan Association to be used to assist in defraying expenses to be incurred in providing a luncheon to the officers and their wives attending the Ontario Reunion to be held in the City of Hamilton from October 12 to 14, 1984. Estimated attendance - approximately 100 persons.

    Explanatory Note - In the fall of 1943 the Canadian Government offered to loan Canadian Infantry Officers to the British Army on a voluntary basis under the code name "Canloan".

12. That a grant in the amount of $500.00 be made to the Hamilton Lacrosse Association to be used to assist in defraying expenses in staging and hosting the annual Minor Lacrosse Tournament to be held in the City of Hamilton July 6 to 8, 1984.

13. That leave be granted to introduce the following Bills:-

    (a) Bill E-9 A By-law to Amend By-law No. 84-15 respecting Ward Boundary Revisions.

    (b) Bill E-10 A By-law to Confirm Proceedings of City Council.

Respectfully submitted,

JDT:bg
May 22, 1984

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

F

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its **FIFTH** Report for 1984 and respectfully recommends:

1. That permission be granted to CFTO TV Limited to utilize the Hamilton Fire Department's simulated Fire and Rescue Complex to film a "Thrill of a Lifetime Program". The timing of this filming to be at the discretion of the Fire Chief and is subject to CFTO providing proof of adequate insurance and entering into an agreement satisfactory to the City Solicitor.

2. That permission be granted for Norfolk City Fire Station to be used as a polling booth for the next Provincial Election.

3. Approval of the purchase of the following tenders:

   (a) **BRADSHAW-STRADWICK (1979) INC., Welland, Ontario**

   Supply and delivery to Fatigue Uniforms for the Fire Department in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of $16,168.00

   Ontario Sales Tax Extra 7%.

   NOTE: Lowest of 7 tenders.

   (b) **C.E. HICKEY & SONS LTD., Hamilton, Ontario**

   Supply and delivery of One (1) Class "A" 5000 L/Min Triple Combination Fire Pumper in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of $174,387.00

   Federal and Ontario Sales Tax Exempt.

   NOTE: Lowest of 3 tenders.

   Explanatory Note: A trade-in allowance of $6,000.00 was offered on Vehicle #1621, 1967 Int. Harvester, Class "A" Pumper. At the direction of the Committee, an attempt is being made to sell this vehicle to other purchasers. It is understood and agreed that should the City not be successful in disposing of the vehicle that it will be sold to C.E. Hickey & Sons for $6,000.00.

4. Approval of the re-organization of the senior management positions in the Finance Division of the Treasury Department as follows:

   (a) (i) That three new senior Treasury, Finance Division, positions be established at the non-union salary 120 classification; namely, Manager of Budgets, Manager of Revenues and Manager of Accounting, and a new middle management position be created at the non-union salary 113 classification, namely, Budget Analyst.

G

(ii) That the four positions known as Director of Finance ("D" classification, Heads and Deputies), Treasury Officer I (non-union classification 119), Treasury Officer II (non-union classification 118) and Manager of Special and Capital Programs (non-union classification 118) be removed from the Treasury Department staff quota.

(iii) That this staff reorganization outlined in (i) and (ii) above be implemented effective January 1, 1984 for the three senior management positions, and the new position June 1, 1984.

(b) (i) That Mr. R.I. Hammel be appointed to the Manager of Budgets position at the fourth step of the range, $47,927.79 (1983) and that he receive an additional 5% per annum for fulfilling the duties of Acting Treasurer and that an appropriate by-law be submitted to City Council effective January 1, 1984;

(ii) That Mr. T.W. Daw be appointed to the Manager of Revenues position at the third step of the range, $43,692.48 (1983) effective January 1, 1984.

(iii) That Mr. N.R. Adhya be appointed to the Manager of Accounting position at the third step of the range, $43,692.48 (1983) effective January 1, 1984.

(c) That a posting be authorized for the new position, Budget Analyst, effective June 1, 1984.

5. (a) That the position of Maintenance Management Technician II in the Traffic Department be classified in Salary Schedule A-9: $420.69, $439.44, $458.17, $482.27, $503.81 per week.

(b) That Mrs. J. Sockett be placed in the first step of Salary Schedule A-9, $420.69, effective January 1, 1984.

6. Approval of Appointments and Terminations in Permanent and Temporary Service with the Corporation to April 18, 1984, as set out in the list **appended hereto.**

7. That the Chief Administrative Officer and the Personnel Director be authorized to arrange Physical Fitness Programs for Civic Employees with the Downtown Y.M.C.A., the Downtown Y.W.C.A. and the Women's World Fitness. The annual membership fee will be prepaid by the City and recovered from the employee by means of payroll deduction in twenty-five equal instalments.

Respectfully submitted,

ALDERMAN F. LOMBARDO, VICE-CHAIRMAN
PERSONNEL COMMITTEE

E. A. Simpson, Secretary
May 23, 1984
encls.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

Referred to in Section 6 of the Fifth Report of the Personnel Committee.

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Daniel McDonald	Monitor (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	April 21/84
Mr. Harold Ralph	Monitor (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	April 9/84
Mr. Henry Robinson	Monitor (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	April 22/84
Mr. Walter Smith	Monitor (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	April 19/84
Mr. John Upton	Monitor (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	April 2/84
Mr. Bruce Washington	Monitor (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	April 9/84

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Stephen Cowie	Rink Attendant (temporary)	Culture & Recreation	Lay off	1 1/4 mo.	April 1/84
Miss Janice Goodwin	Cashier (temp./part-time)	Culture & Recreation	Transferred to permanent payroll	1 year	April 23/84
Mr. Glenn Johnson	Accounting Student M.B.A. Program (temporary)	Treasury	Resigned	3 1/2 mo.	April 13/84
Mr. Weldon Orr	By-Law Enforcement Constable (temporary)	Traffic	Lay off	3 mo.	May 4/84
Ms. Diane Rosko	Coed Clerical (temporary)	Public Works	Lay off	5 1/2 mo.	May 2/84
Mrs. Sheila Rotondi	Typist Clerk II (temporary)	Treasury	Resigned	1 yr. & 8 1/2 mo.	April 8/84
Mr. Mark Smith	Checker (temp./part-time)	Culture & Recreation	resigned	3 yrs. & 10 mo.	April 28/84
Mr. Glen Burns	Cashier (temp./part-time)	Culture & Recreation	Lay off	3 mo.	March 25/84
Miss Brenda Hellendy	Cashier (temp./part-time)	Culture & Recreation	Resigned	2 yrs. & 4 mo.	April 18/84
Miss Elizabeth Sajder	Cashier (temp./part-time)	Culture & Recreation	Lay off	7 mo.	April 15/84
Miss Lisa Beaudet	Community Sports Organizer (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 12/84

Wednesday May 23, 1984

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Miss Faith Johns	Community Sports Organizer (temp./part-time)	Culture & Recreation	Resigned	5 1/2 mo.	April 4/84
Ms. Karen Mileski	Community Sports Organizer (temp./part-time)	Culture & Recreation	Resigned	5 1/2 mo.	March 27/84
Ms. Sandra Shwedyk	Community Sports Organizer (temp./part-time)	Culture & Recreation	Lay off	1 1/2 mo.	March 21/84
Ms. Andrea Wood	Community Sports Organizer (temp./part-time)	Culture & Recreation	Lay off	6 mo.	April 12/84
Miss Robyn Archibald	Red Cross Instructor (temp./part-time)	Culture & Recreation	Resigned	2 yrs. & 3 mo.	April 18/84
Miss Cheryl Della Maestra	Red Cross Instructor (temp./part-time)	Culture & Recreation	Resigned	7 1/2 mo.	April 18/84

Wednesday May 23, 1984

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Gerald Haak	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	May 1/84
Mr. Paul Kelly	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	May 7/84
Mr. Joseph Sadauskas	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	May 1/84
Mr. Joseph Vudrag	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	May 1/84
Ms. Lynda Bertin	Cashier (temp./part-time)	Culture & Recreation	Seasonal staff	R-7	$4.250 per hour	April 4/84
Ms. Johanne Clitheroe	Cashier (temp./part-time)	Culture & Recreation	Replacement for Ms. Brenda Hellendy - resigned	R-7	$4.250 per hour	April 24/84
Mr. Paul Albanesi	Monitor (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	April 24/84
Mr. Bob DiFrancesco	Monitor (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	April 24/84
Mr. William Elliott	Monitor (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	April 21/84
Mr. Albert Klingbell	Monitor (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	April 24/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Stuart Oxborough	Accounting Student M.B.A. Program (temporary)	Treasury	Government Program	MBA	$379.05 per week	April 24/84
Mr. Duarte Pavao	Program Organizer (temporary)	Culture & Recreation	Replacement for Mrs. Cora Lee Secore	A-7	$376.58 per week	April 9/84
Mr. Dorel Sendrea	Foreman III (temporary)	Public Works	Replacement for Mr. A. Filice - temp. promoted	13C	$21,643.44 per annum	April 30/84
Mr. Joe Tsao	Sales Representative (temporary)	Trade/Centre Arena	New Position (hired on contract basis)	SR	$800.00 biweekly	April 11/84
Mr. Leonard Wheeler	Journeyman Painter (temporary)	Property Maintenance Division of the Real Estate Dept.	Hired as required	PA	$17.390 per hour	April 4/84
Mr. Ignatius Bene	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	May 1/84
Mr. Paul Chetcuti	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	May 1/84
Mr. Mauro Finocchi	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	May 1/84

Wednesday May 23, 1984

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. T. Robert Anderson	Personnel Clerk III (temporary)	Personnel	Replacement for Mrs. Rena Simpson - temp. promoted	107	$8.222 per hour	April 24/84
Mr. George Carson	Journeyman Painter (temporary)	Property Maintenance Division of the Real Estate Dept.	Hired as required	PA	$17.390 per hour	May 9/84
Mr. Stephen Cowie	Tree Climber (temporary)	Public Works	Additional Staff	D-9	$9.991 per hour	April 3/84
Miss Winanne Fearman	Student I.M.A. Program (temporary)	City Clerk's	Additional Staff	SO-35	$189.34 per week	April 24/84
Miss Deborah Fischer	Community Sports Organizer (temp./part-time)	Culture & Recreation	Sharing hours with B. Lockhart - medical problem	K-2A	$4.000 per hour	April 10/84
Mrs. Jane Graham	Stenographer I (temporary)	Treasury	Temporary reclassification approved by C.A.O. 84/04/16	E-5	$356.02 per week	Jan. 1/84
Mr. Paul Johnson	Checker (temp./part-time)	Culture & Recreation	Replacement for Mr. James Wentworth -resigned	K-1	$4.000 per hour	April 12/84
Ms. Linda Kisko	Program Assistant (temp./part-time)	Culture & Recreation	Replacement for Ms. Julie Godber - promoted	R-1	$8.000 per hour	May 2/84
Mr. Dean Martin	Student I.M.A. Program (temporary)	Treasury	Additional Staff	SO-35	$199.23 per week	April 30/84

Wednesday May 23, 1984

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Miss Mary Bow	Stenographer III (temporary)	Public Works	resigned	2 yrs. & 4 mo.	April 27/84
Mr. Paul Podolski	Journeyman Carpenter	Property Maintenance Division of the Real Estate Dept.	retirement	29 yrs. & 11 mo.	April 27/84
Miss Mary Steenkist	Pool Supervisor	Culture & Recreation	resigned	10 yrs. & 4 1/2 mo.	April 19/84

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Wednesday May 23, 1984

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Tennessee Propedo	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. Alois Stokan	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 9/84
Mr. George Sztricsko	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 9/84
Mr. Raymond Vallier	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 9/84
Mr. Terry Verge	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. Russell Webb	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 9/84
Mr. William Whyte	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. John Barry Willard	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84

Wednesday May 23, 1984

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Larry Fair	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 9/84
Mr. Morris Felicetti	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. Henry Hines	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. Michael Holmes	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr Milorad Josic	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. James Keenan	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. Kevin Larson	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. Michael Maxwell	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. John Mule	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Thomas Worsley	Probationary Fire Fighter	Fire	Replacement for 1st Class Fire Fighter yet to be vacated due to internal promotions	N-1	$21,890.46 per annum	April 30/84
Mr. Jay Buttenham	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. Robert Carmichale	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 9/84
Mr. Luigi Cialini	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. James Dean	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. William Deeley	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84
Mr. John DiFalco	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 16/84
Mr. James Fair	Labourer	Public Works	Returned to former position from temp. Rink Attendant (winter season)	D-5	$9.781 per hour	April 2/84

Wednesday May 23, 1984

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. William Bailey	Foreman III (Districts)	Public Works	Returned to former position	13C	$25,777.44 per annum	April 23/84
Mr. Ken Bellavance	Street Sweeper Operator	Public Works	Replacement for Mr. Allan Rochead - terminated	D-9	$9.991 per hour	April 23/84
Mr. Brad Fleming	Lead Hand (Cemetery)	Cemetery Division of the Department of Public Works	Replacement for Mr. Don King - resigned	D-8A	$9.961 per hour	April 16/84
Miss Janice Goodwin	Typist Clerk II	Treasury	Replacement for Mrs. Lynn Smith - transferred	E-2	$273.74 weekly	April 24/84
Mr. William Morden	Lead Hand (Cemetery)	Cemetery Division of the Department of Public Works	Replacement for Mr. Ken Watson - retired	D-8A	$9.961 per hour	April 9/84
Mr. William Gehl	Probationary Fire Fighter	Fire	Replacement for Mr. Thomas Dodman - resigned	N-1	$21,890.46 per annum	April 30/84
Mr. John Neeb	Probationary Fire Fighter	Fire	Replacement for Mr. Gordon Crandall - retired	N-1	$21,890.46 per annum	April 30/84
Mr. Cameron Ritchie	Probationary Fire Fighter	Fire	Replacement for 1st Class Fire Fighter yet to be vacated due to internal promotions	N-1	$21,890.46 per annum	April 30/84
Mr. Randall Ward	Probationary Fire Fighter	Fire	Replacement for Mr. Gordon Poff - transferred	N-1	$21,890.46 per annum	April 30/84

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REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its FIRST Report for 1984 and respectfully recommends:

> That City of Hamilton Cab Owner's licence no. 244 be suspended for a period of four months commencing 12:01 a.m. on May 30, 1984 and City of Hamilton Cab Driver's licence no. 485 be suspended for a period of four months commencing 12:01 a.m. on May 30, 1984.

For the information of Members of City Council

On Thursday, May 17, 1984, the City of Hamilton Licensing Committee held a show cause hearing into the status of City of Hamilton Taxi Owner's licence no. 244 and Cab Driver's licence no. 485. Mr. Donald Horrocks, the holder of both licences, appeared before the Committee representing himself although he was advised that he could attend with legal counsel. Nine witnesses including three City licence inspectors were also present. The reasons why the licence holder was summoned before the Committee are as follows:

1. His apparent operation of City taxicab 244, as owner and driver, during the latter part of 1983 and the early months of 1984 without existing, proper motor vehicle liability insurance, contrary to City of Hamilton By-law 79-323, as amended, Schedule 4, Section 10(1) and 10(3)(b);

2. His alleged procurement of insurance policy coverage on the taxi vehicle 244, through false statements or misrepresentation to Constitution Insurance Company of Canada as to the actual use of the vehicle to be insured, thereby leading to immediate insurance cancellation on the discovery of the false statements or misrepresentations;

3. His operation of the said cab vehicle, number 244, during a period when the required City of Hamilton licensing fees therefor and his cab driver's licensing fees for 1984 had not been properly paid because of his cheque therefor being dishonoured for payment: By-law 79-323, as amended, Section 8(2) and Schedule 4, Section 3(1);

5(a)

NOTICE OF MOTION FOR NEXT REGULAR MEETING OF HAMILTON CITY COUNCIL

Aldermen M. Davison

"RESOLVED: that this Council strike a special committee of three (3) members, assisted by senior City staff, to examine the relationship between the City of Hamilton and the Hamilton Hydro Electric Commission, to report back to Council within 120 days recommendations which will:

a) effect greater input into the decision-making and management process of the Hamilton Hydro Electric System by the Council of the City of Hamilton,

b) ensure more regular accountability and complete reporting of the Hamilton Hydro Electric System to the Council of the City of Hamilton,

c) clarify the uses to which the receipts and revenues, in excess of expenditures, of the Hamilton Hydro Electric System may be put, in order to provide maximum benefit to the citizens of Hamilton."

Bill No. A-18

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

By-law No. 78-94

Respecting:

MUNICIPAL WEED INSPECTORS

WHEREAS By-law No. 78-94, passed on the 28th day of March, 1978, as amended by By-laws No. 79-81, 80-067, 81-71, and 82-115 provided for the appointment of Municipal Weed Inspectors under The Weed Control Act, R.S.O. 1970, Chapter 493, now R.S.O. 1980, Chapter 530, and appointed twenty-two inspectors;

AND WHEREAS it is intended to revise the list of appointed Municipal Weed Inspectors.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraphs 2 and 11 of section 2 of By-law No. 78-94, as re-enacted by section 1 of By-laws No. 79-81, 80-067 and 81-71, are repealed.

2. Paragraph 18 of section 2 of the said By-law, as re-enacted, is repealed and the following substituted in lieu thereof:

18. A. Marshall.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 5 R.T.E.C. 6, March 27

Bill No. A-19

By-law No. 84 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 22 (Hamilton Street Railway Bus Routes) of By-law No. 66-100 To Regulate Traffic passed and enacted on the 29th day of March 1966, is hereby amended by deleting from the Delaware-West Hamilton (Rosedale Extension) and Delaware-Main West (Rosedale Extension) Tables the following words, namely:-

"From Rosedale and King, south on Rosedale to Dundonald, east on Dundonald to Cochrane Road, north on Cochrane Road to Montrose, west on Montrose to Rosedale, north on Rosedale to King".

and by substituting therefore the following words, namely:-

"From Rosedale and King, south on Rosedale to Greenhill, east on Greenhill to Cochrane, north on Cochrane to Montrose, west on Montrose to Rosedale, north on Rosedale to King".

2. Schedule 23 (Hamilton Street Railway Bus Stops) is hereby amended by deleting from the Delaware-West Hamilton (Rosedale Extension) and Delaware-Main West (Rosedale Extension) Tables the following items, namely:-

"Dundonald at Aberfoyle
Dundonald at Malta (MB)".

and by adding thereto the following items, namely:-

"Rosedale at Greenhill
Greenhill at Cochrane
Cochrane at Dundonald".

3. Schedule 25 (Parking Time Limits) is hereby amended:

(a) by deleting from Section 5 (One Hour Limit) the following item , namely:-

"James	East	Picton to Ferrie".

and by adding thereto the following item, namely:-

"James	Both	Picton to Ferrie".

4. Schedule 25A (Parking Time Limits) is hereby amended by deleting from Section 5 (One Hour Limit) the following item, namely:-

"Dromore	Both	Paisley to Oak Knoll".

and by adding thereto the following subsection, namely:-

"16. Two Hour Limit, between the hours of 9:00 in the forenoon and 5:00 in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

STREET	SIDE	LOCATION
Dromore	Both	Paisley to Oak Knoll".

5. Schedule 26 (No Parking Areas) is hereby amended:

(a) by deleting from Section A (No Parking Anytime) the following item, namely:-

"Hempstead	North	from 166 feet west of Ditton to a point 70 feet westerly therefrom
Kingfisher	Both	Pinewarbler to the southerly end of the street".

and by adding thereto the following items, namely:-

"Hempstead	Both	Unsworth to Ditton
Ditton	Both	Hempstead to southerly end
Kingfisher	Both	Thresher to southerly end
London	West	Lawrence to 73 feet northerly
Unsworth	Both	Upper Ottawa to Hempstead
Lancing	Both	Unsworth to easterly end".

(b) by deleting from Section B (Loading Zones) the following item, namely:-

"Hunter	South	47 ft.	70 ft. west of Queen	7:00 a.m. to 6:00 p.m.".

and by adding thereto the following item, namely:-

"Hunter	South	23 feet	70 feet west of Queen	7:00 a.m. to 6:00 p.m.".

6. Schedule 27A (Alternate Side Parking) is hereby amended by adding thereto the following item, namely:-

"James Strachan to Burlington	West	East".

7. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following item, namely:-

"Hess	West	Market to Napier".

PASSED this day of , A.D. 1984.

City Clerk

Mayor

(1984) 9 R.T.E.C. 49, May 29

By-law No. 84 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 9 (Through Highways) of By-law No. 66-100 To Regulate Traffic passed and enacted on the 29th day of March 1966, is hereby amended by deleting therefrom the following item, namely:-

"James Street, from the southerly limit of Burlington Street to the northerly limit of James Mountain Road, except at the intersections of Cannon and Main Streets".

and by adding thereto the following items, namely:-

"Kingfisher Drive, from the southerly limit of Limeridge Road to the westerly limit of Upper Wentworth Street

James Street, from the northerly limit of James Mountain Road to the northerly limit of Strachan Street except at the intersections of Cannon and Main Streets".

2. Schedule 10 (Stops at Intersections) is hereby amended by adding thereto the following items, namely:-

"Simcoe	Westbound	James
Ferrie	Eastbound and Westbound	James
Picton	Eastbound and Westbound	James
MacAuley	Eastbound and Westbound	James
Wood	Eastbound and Westbound	James".

3. Schedule 18 (No Right Turn On Red At Certain Intersections) is hereby amended by adding thereto the following item, namely:-

"Strathearne	Southbound	Burlington	Anytime".

4. Schedule 29 (No Stopping Areas) is hereby amended by deleting from Section A (No Stopping Anytime) the following items, namely:-

"Kingfisher	Both	Pinewarbler to Upper Wentworth
Hixon	North	Bettina to a point 79 feet easterly therefrom
Hixon	North	Bettina to a point 67 feet westerly therefrom".

and by adding thereto the following items, namely:-

"Kingfisher	Both	Thresher to Upper Wentworth
Ray	East	York to a point 109 feet northerly therefrom
Everton	South	commencing at a point 170 feet west of Upper Ottawa to a point 32 feet westerly therefrom
Hixon	North	Bettina to a point 60 feet easterly therefrom
Hixon	North	Bettina to a point 50 feet westerly therefrom".

5. Schedule 31 (School Bus Loading Zones) is hereby amended by adding thereto the following item, namely:-

"Britannia	North	commencing at a point 184 feet east of McLaren to a point 40 feet easterly therefrom".

PASSED this day of , A.D. 1984.

City Clerk Mayor

(1984) 9 R.T.E.C. 49, May 29

Bill No. D-64

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Adopt:

Official Plan Amendment No. 17

Respecting:

LANDS LOCATED ON THE NORTH SIDE OF KING STREET EAST AND EAST OF NASH ROAD

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 17 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of A.D. 1984.

City Clerk

Mayor

(1984) 8 R.P.D.C. 5(a), April 24

AMENDMENT NO. 17 TO THE CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "A", hereto constitute Amendment No. 17.

PURPOSE

To delete a "Residential" designation and substitute a "Major Institutional" designation for those lands shown on the attached Schedule "A".

LOCATION

The subject lands are located in the area north of King Street East and east of Nash Road.

BASIS

The subject lands are presently designated Residential. As such, an institutional use would have been permitted provided the total site area did not exceed 0.4 hectares. However, the total area of the subject lands is approximately 10.5 hectares.

The proposed Public Hospital (Ambulatory Care Facility) will fulfill a need for health care services in the east end of the City which currently is without such a facility. In addition, the proximity of the subject lands to the intersection of two major roads (i.e. King Street East and Nash Road) would render the location of a hospital on these lands suitable.

On the basis of the above it is considered appropriate to redesignate the subject lands for "Major Institutional" uses.

ACTUAL CHANGE

Schedule "A" of the Official Plan (Land Use Concept) be amended by redesignating the subject lands from "Residential" to "Major Institutional" as shown in red on the attached Schedule "A" to this Amendment.

IMPLEMENTATION

A restricted area by-law will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No. 84- , passed on the day of , A.D. 1984.

Bill No.

THE CORPORATION OF THE
CITY OF HAMILTON

City Clerk

Mayor

Schedule A
amendment no. 17

to the
official plan
for the
city of hamilton

legend

areas to be changed from residential to major institutional

date	drawn by	reference file no.
may 1984	P E	P6-2-17

land use concept

legend

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- utilities
- central policy area
- special policy area windermere basin
- pier numbers
- sub regional centre

DEFERRED NO. D-1 UNDER SECTION 14(3) OF THE PLANNING ACT

schedule A

to the official plan
for
the city of hamilton

1983 09 01

Bill No. D-65

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Adopt:

Official Plan Amendment No. 18

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 220 and 230 HEMPSTEAD DRIVE

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 18 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of A.D. 1984.

City Clerk

Mayor

(1984) 8 R.P.D.C. 2(a), April 24

AMENDMENT NO. 18 TO THE CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "B", hereto constitute Amendment No. 18.

PURPOSE

To establish a site specific policy to permit the operation of auto repair garages.

LOCATION

The subject lands are located on Hempstead Drive and are known municipally as Nos. 220 and 230 Hempstead Drive.

BASIS

This Amendment can be supported on the basis that the auto repair garages:

- have existed harmoniously with surrounding uses; and
- would provide a beneficial service to the surrounding industrial uses and their employees.

ACTUAL CHANGE

The Official Plan is hereby amended as follows:

i) the following new policy be added to Subsection A.2.9.3, OTHER POLICY AREAS:

"A.2.9.3.21

Notwithstanding the permitted uses set out in Subsection A.2.3 - INDUSTRIAL USES and Subsection A.2.9.3 - OTHER POLICY AREAS - Policy A.2.9.3.9, for those lands within the area shown on Schedule "B" as SPECIAL POLICY AREA 26 and known municipally as Nos. 220 and 230 Hempstead Drive, auto repair garages will be permitted.

ii) the following be added to Schedule "B" Special Policy Areas:

- o Special Policy Area "26" on the map portion of Schedule B; and
- o "Area 26, refer to Policy A.2.9.3.21" in the legend of Schedule B.

IMPLEMENTATION

A restricted area by-law will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No. 84- , passed on the day of , A.D. 1984.

Bill No.

THE CORPORATION OF THE
CITY OF HAMILTON

City Clerk

Mayor

schedule B
amendment no.18

to the
official plan
for the
city of hamilton

legend
special policy area 26
refer to policy A 2 9 3 21

date	drawn by	reference no
may 1984	P.E.	Pb 2-18

special policy areas

legend

special policy areas

Area 1 (a) refer to Subsection A.2.9.1.
Area 1 (b) " " " A.2.9.1.
Area 2 " " " A.2.9.2.
Area 3 " " " A.2.9.3, policy 2.9.3.1
Area 4 " " Policy 2.9.3.2.
Area 5 " " " 2.9.3.3.
Area 6 " " " 2.9.3.4.
Area 7 " " " 2.9.3.5.
Area 8 " " " 2.9.3.6.
Area 9 " " " 2.9.3.7.
Area 10 " " " 2.9.3.8.
Area 11 " " " 2.9.3.9.

Area 26 " " " 2.9.3.21

Refer to Schedule B-1 for Special Policy Areas in the Downtown

schedule B

to the official plan
for
the city of hamilton

82 09 01

Bill No. D-66

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 17-21 EAST AVENUE SOUTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-13 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "H" (Community Shopping and Commercial, etc.) district to "E" (Multiple Dwellings, Lodges, Clubs, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

(a) notwithstanding clause 11(2)(iii) of By-law No. 6593, no building shall exceed 7 storeys or 20 m. in height;

(b) notwithstanding subsection 11(3) of By-law No. 6593, no yards shall be required to be provided except side yards having a width of at least 0.17 m.;

(c) notwithstanding subsection 11(5) of By-law No. 6593, the gross floor area shall not exceed 3,065 m^2 and the number of dwelling units shall not exceed 30 dwelling units;

(d) notwithstanding subsection 11(6) of By-law No. 6593, not less than 45% of the lot area shall be provided and maintained as landscaped area;

(e) notwithstanding that subclause 2(2) J(xa) of By-law No. 6593 stipulates that a landscaped area means an area of land provided and maintained on the same lot on which the building is situate, the landscaped area may be situate one storey above grade on the roof of the said storey used for parking.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in section 2.

4. By-law No 6593 is amended by adding this by-law to section 19B as "S-864".

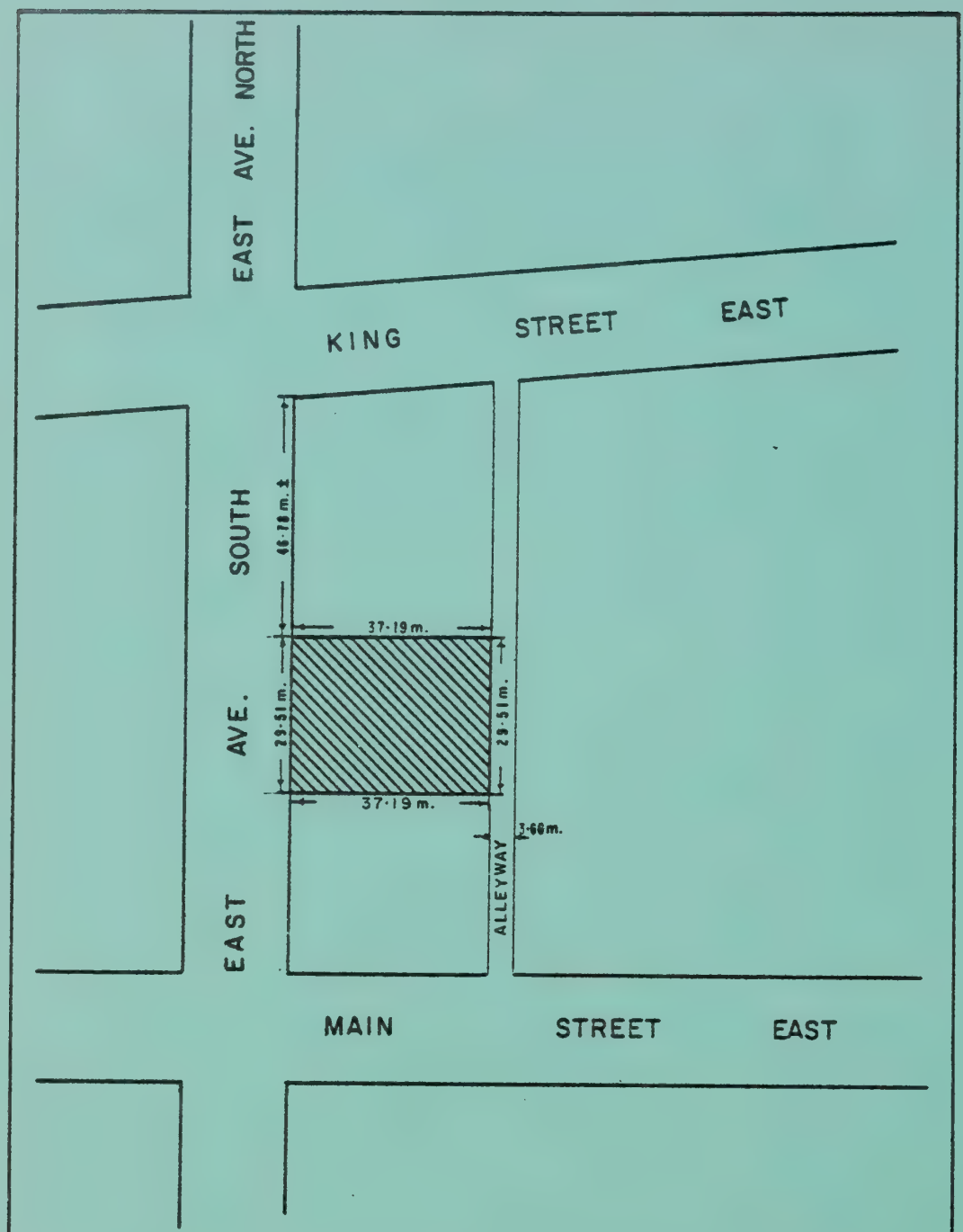
5. Sheet No. E-13 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-864".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 6 R.P.D.C. 2, April 10
Joseph A. Maziarz, on behalf of
Jay Rosenblatt, In Trust, Owner
ZA-84-06



THIS IS SCHEDULE "A" TO BY-LAW NO. 84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO. 84-

TO AMEND BY- LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "H" (COMMUNITY SHOPPING AND COMMERCIAL ETC.) DISTRICT TO "E" (MULTIPLE DWELLINGS, LODGES, CLUBS, ETC.) DISTRICT.

North	Scale	Reference File No.
	1 : 2000	ZA 84-06
	Date	Drawing No.
	APR. 9, 1984	

Bill No. D-67

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Authorize:

THE REPAIR OF BUILDINGS AND STRUCTURES LOCATED AT

1 BEULAH AVENUE

WHEREAS a Notice dated the 18th day of May 1983 was served or caused to be served in accordance with Subsection 6 of Section 31 of the Planning Act, 1983;

AND WHEREAS an Order dated the 25th day of November 1983 was served or caused to be served in accordance with Subsection 7 of Section 31 of the said Act;

AND WHEREAS an appeal has been made from the said Order in accordance with Subsection 16 of Section 31 of the said Act;

AND WHEREAS a hearing was held on the 9th day of February 1984 by the Property Standards Committee in accordance with Subsection 17 of Section 31 of the said Act;

AND WHEREAS the Property Standards Committee confirmed the Order in accordance with Subsection 17 of Section 31 of the said Act;

AND WHEREAS no appeal has been lodged with a Judge of the Judicial District pursuant to Subsection 18 of Section 31 of the said Act;

AND WHEREAS the Order is now deemed to be final and binding pursuant to Subsection 19 of Section 31 of the said Act;

AND WHEREAS the buildings and structures situate on the land more particularly described in Schedule "A" have not been repaired as required by the said Order;

AND WHEREAS the said buildings and structures are not in conformity with the standards prescribed in The Property Standards By-Law No. 74-74;

AND WHEREAS in accordance with Subsection 20 of the said Act, the Corporation has the right to repair the property in the event that the Order has not been complied with;

AND WHEREAS it is desirable to repair the buildings and structures;

AND WHEREAS pursuant to Clause (c) of Section 36 of The Property Standards By-Law No. 74-74, as amended, the final amount expended by the City to repair the buildings and structures, together with interest, is a lien against the property in respect of which the amount was expended and the certificate of the City Clerk as to such amount is final and such amount is deemed to be taxes and may be added to the collector's roll to be collected in the same manner as municipal taxes.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Building Commissioner is hereby authorized and directed to provide for the repair of the buildings and structures on the land more particularly described in Schedule "A", and to leave the land in a graded and levelled condition.

2. It is hereby authorized and directed that the amount expended for the work done shall be added to the collector's roll and shall be collected in the same manner as municipal taxes.

PASSED this day of A.D. 1984.

CITY CLERK MAYOR

(1984) 9 R.P.D.C. 12, May 8

SCHEDULE "A"
To
BY-LAW NO. 84-

Municipal Address: 1 Beulah Avenue Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and Province of Ontario, and being composed of Lot Number 85 on the south-east corner of Aberdeen and Beulah Avenues in W.D. Flatt's Survey of Beulah registered on the 10th day of May, A.D. 1907 as Number 407.

TOGETHER WITH THE RIGHT unto the Grantee, her heirs, executors, administrators and assigns, to have the easterly eave of a garage built on Lot No. 85 on the south-east corner of Aberdeen and Beulah Avenue in W.D. Flatt's Survey of Beulah registered as No. 407 project and overhang the land known as Lot Number 86 in the said survey, a distance of 12 inches on the north-east corner of the said garage and 13 inches on the south-east corner of the said garage and this right to continue to the Grantee so long as the said garage remains in the same position as it is at present. Also full power, license and permission at all reasonable and proper times hereafter for the Grantee, her servants, employees, workmen and assigns, to enter upon the said land Lot Number 86 for the purposes of repairing, painting and maintaining the said overhanging eaves, roof and other projections, as there shall be occasion.

TO HAVE AND TO HOLD the same, with all the privileges and appurtenances thereof, to the Grantee her heirs, executors, administrators and assigns forever.

THE FOREGOING DESCRIPTION being intended to include all the lands and appurtenances relating or appertaining to the dwelling house and premises known in the year 1967 as No. 1 Beulah Avenue, Hamilton.

Bill No. D-68

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NOs. 1288 and 1292 UPPER GAGE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

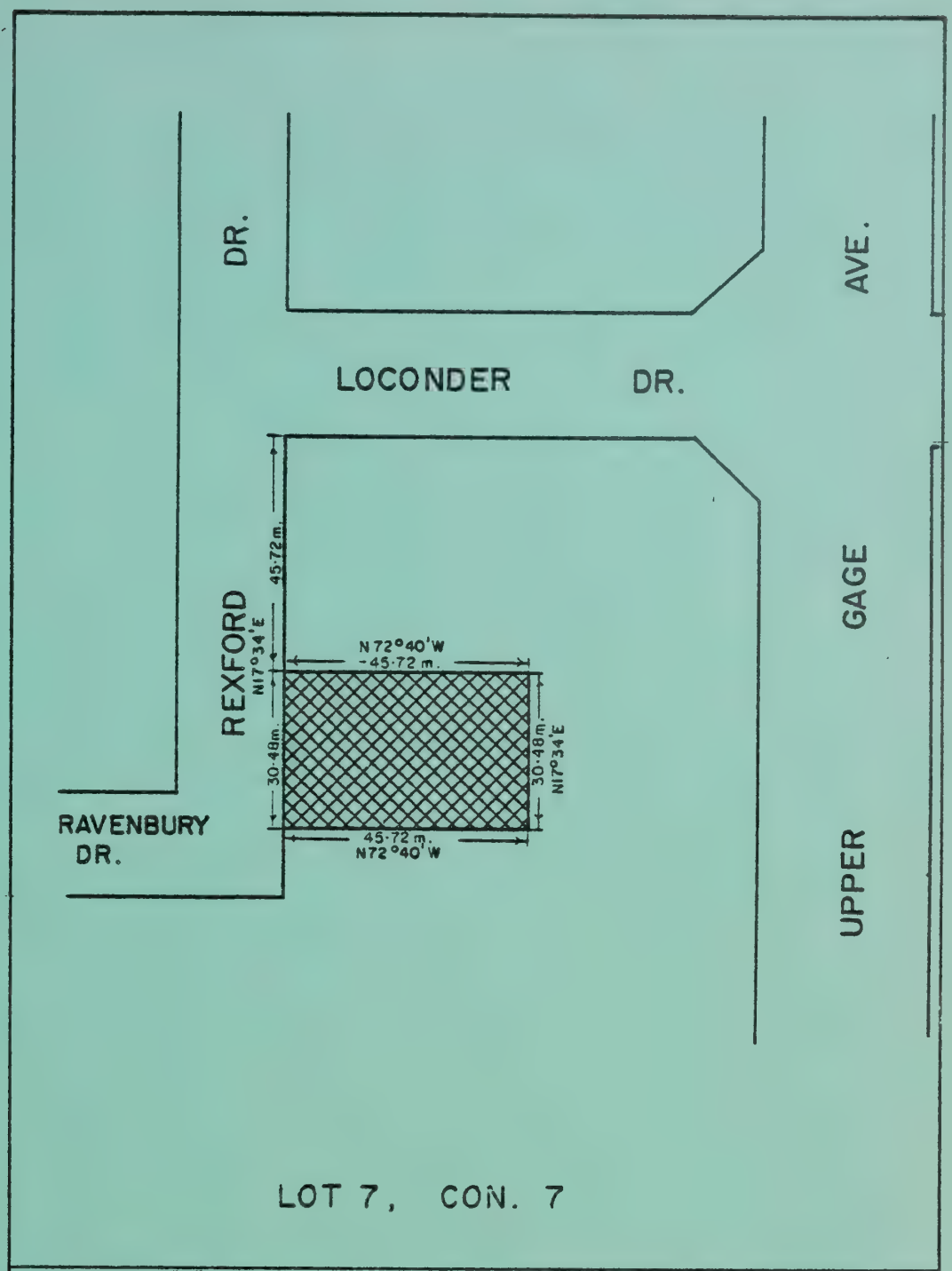
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 8 R.P.D.C. 3, April 24
M. Srdic, Owner
ZA-84-11; ZA-84-12



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO. 84-

TO AMEND BY- LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

North	Scale	Reference File No.
	1:1000	ZA 84-12 ~~84-11~~
	Date APR. 19, 84	Drawing No.

Bill No. D-69

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE REAR OF MUNICIPAL NO. 87 FIELDWAY DRIVE

WHEREAS it is intended to change the zoning of the land hereinafter referred to, under By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

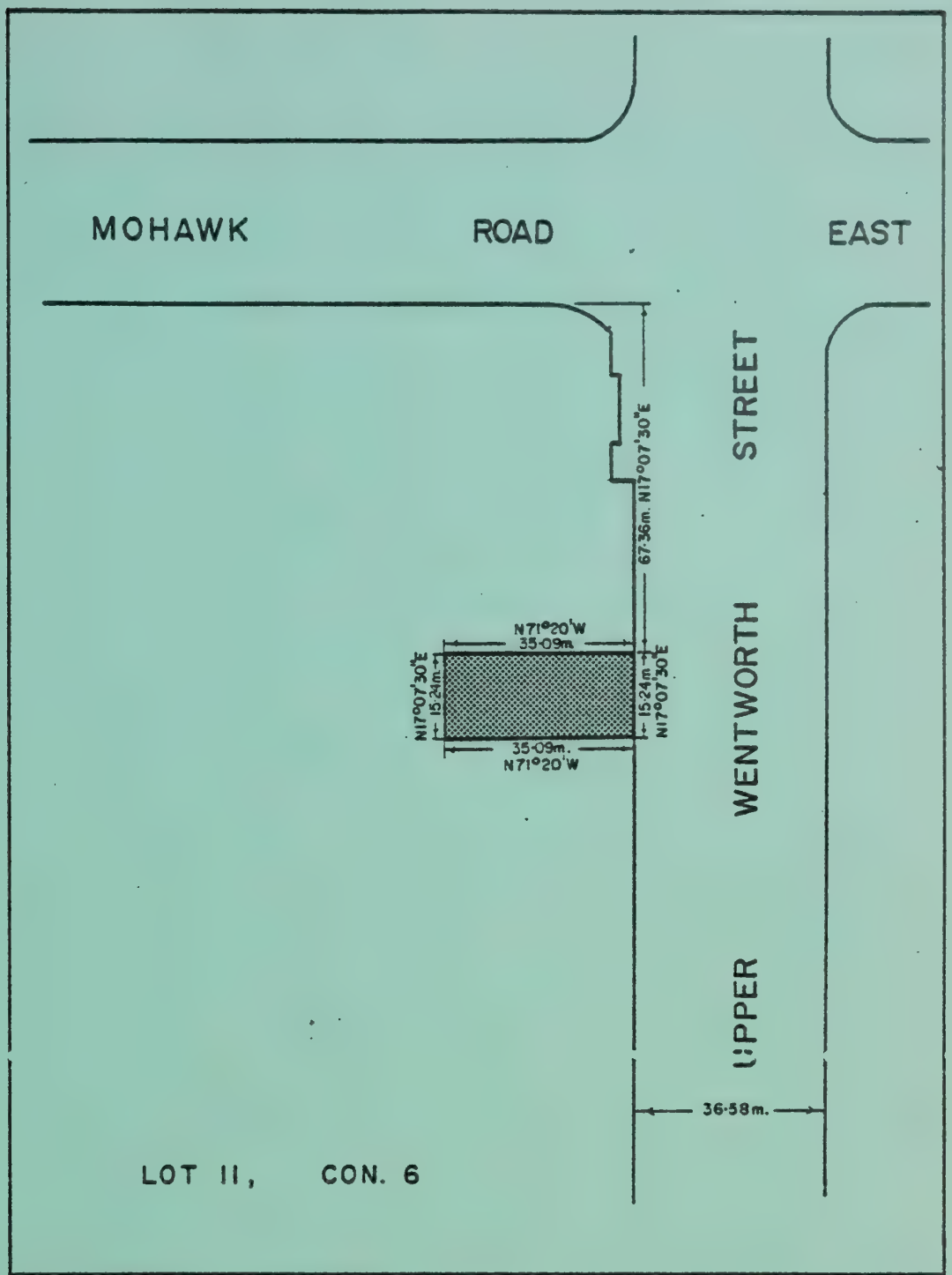
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 8 R.P.D.C. 1, April 24
Maria Kuszla, Owner
ZA-84-08



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO.84-
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

North	Scale	Reference File No.
	1 : 1000	ZA 84-08
	Date	Drawing No.
	APR. 27, 1984	

Bill No. D-70

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 591 RYMAL ROAD WEST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

   (a) by changing from "AA" (Agricultural) district to "B" (Suburban Agriculture and Residential, etc.) district, the land,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The "B" (Suburban Agriculture and Residential, etc.) district provisions applicable to the land comprised in Block 1, are amended to the extent only of the special requirement that,

   (a) notwithstanding clause 8(3)(ii) of By-law No. 6593, the easterly side yard shall have a width of at least 1.2 m.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-868".

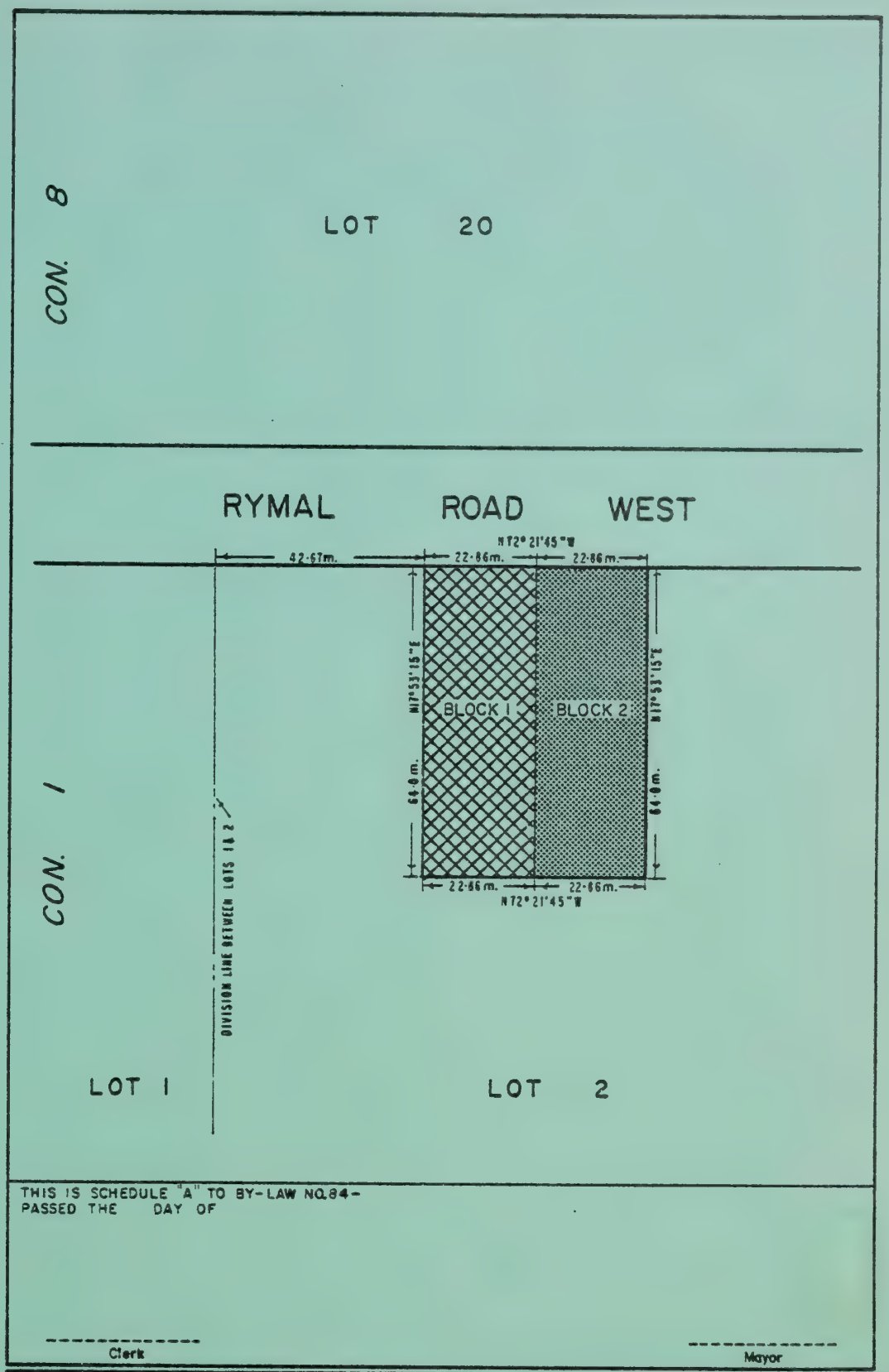
5. Sheet No. W-27E of the District Maps is amended by marking the land referred to in section 2 of this by-law, "S-868".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 8 R.P.D.C. 4, April 24
B. and G. Cramero, Owners
ZA-84-15



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 84-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1 — CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "B" (SUBURBAN AGRICULTURE AND RESIDENTIAL, ETC.) DISTRICT, MODIFIED.

BLOCK 2 — CHANGE IN ZONING FROM "AA" (AGRICULTURAL TO "B" (SUBURBAN AGRICULTURE AND RESIDENTIAL, ETC.) DISTRICT.

North	Scale	Reference File No.
	1 : 1000	ZA 84-15
	Date	Drawing No.
	APR. 27, 1984	

Bill No. D-71

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 83-226

Respecting:

LAND IN THE HOMESIDE NEIGHBOURHOOD LOCATED AT MUNICIPAL NO. 1530 BARTON STREET EAST

WHEREAS By-law No. 83-226, passed on the 27th day of July, 1983, rezoned lands and established special requirements for land located in the Homeside Neighbourhood, which included land at No. 1530 Barton Street East;

AND WHEREAS clause 2(c) of the said by-law rezoned the land at No. 1530 Barton Street East from "H" (Community Shopping and Commercial, etc.) district to "DE" (Low Density Multiple Dwellings) district;

AND WHEREAS clause 7(b) of the 9th Report of the Planning and Development Committee, adopted by City Council on April 26, 1983, under City Initiative 83-J inadvertently provided for the rezoning of the land at 1530 Barton Street East from "H" (Community Shopping and Commercial, etc.) district to "DE" (Low Density Multiple Dwellings) district;

AND WHEREAS By-law No. 83-226 in accordance with the direction of City Council, rezoned the land from "H" (Community Shopping and Commercial, etc.) district to "DE" (Low Density Multiple Dwellings) district;

AND WHEREAS it is intended to re-establish the original "H" District zoning.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause 2(c) of By-law No. 83-226 shall not apply to the land located at No. 1530 Barton Street East.

2. Schedule "A4" annexed to and forming part of By-law No. 83-226 is amended by deleting therefrom the land located at No. 1530 Barton Street East.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-837b".

4. Sheet No. E-63 of the District Maps is amended by marking the land at No. 1530 Barton Street East, "S-837b".

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 8 R.P.D.C. 7, April 24
City Initiative 83-J

Bill No. D-72

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOs. 220 and 230 HEMPSTEAD DRIVE

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act, 1983, at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-14" (Prestige Industrial) District provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding clause 17F(1)(a) of By-law No. 6593, the following,

(i) **COMMERCIAL USE** shall be permitted within the buildings existing at the time of the passing of this by-law:

1. Automobile repair garage.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-14" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-866".

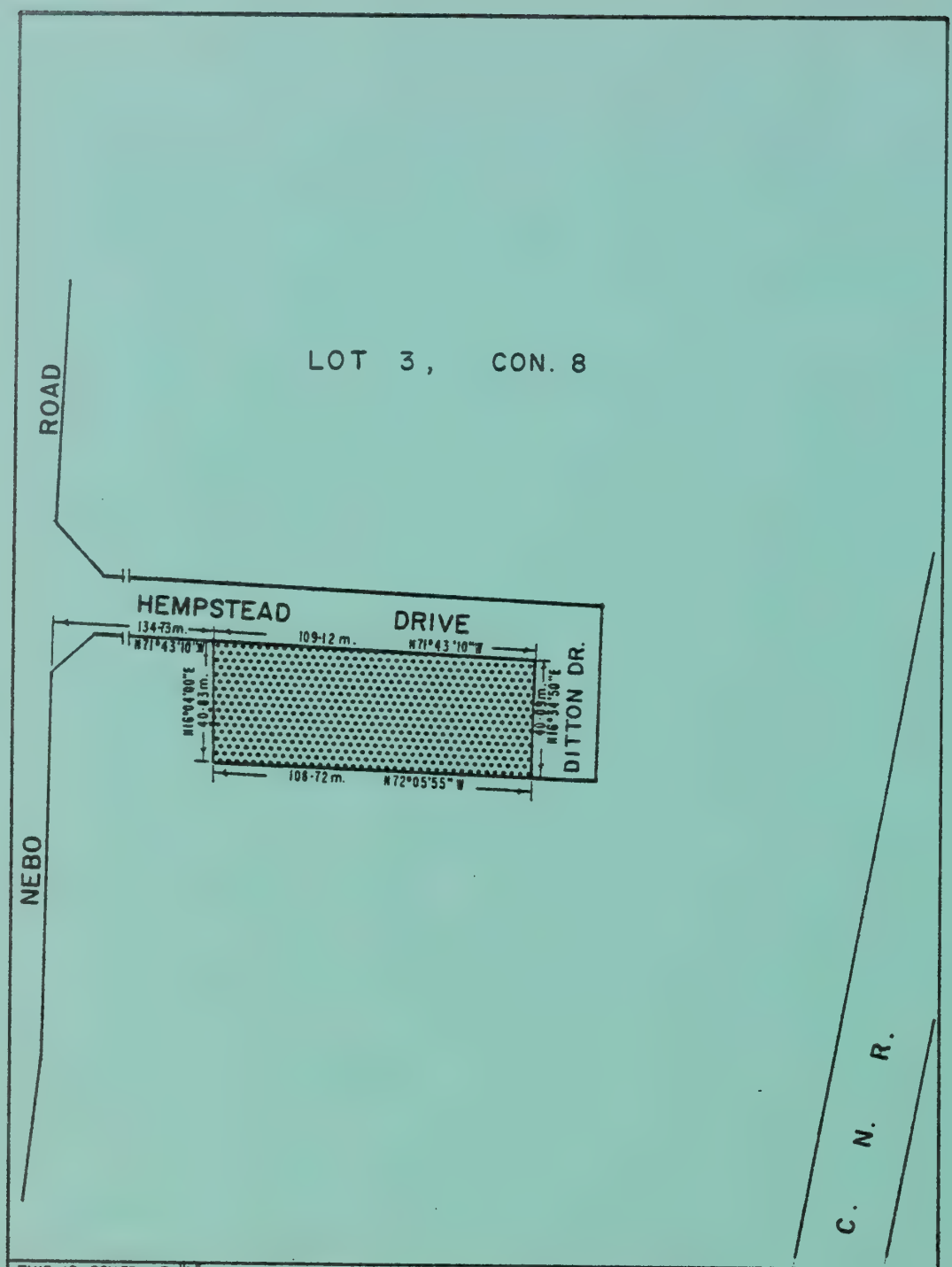
4. Sheet No. E-59D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-866".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 8 R.P.D.C. 2, April 24
Solid Masonry (Hamilton) Ltd., Owner
ZA-84-14



THIS IS SCHEDULE "A" TO BY-LAW NO.84
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO.84
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY LAW NO.84-

North	Scale	Reference File No.
	N.T.S.	ZA 84-14
	Date	Drawing No.
	APR. 30, 1984	

Bill No. D-73

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No 6593

Respecting:

LANDS LOCATED IN THE AREA EAST OF UPPER PARADISE ROAD AND NORTH OF GEMINI DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-27B and W-27C of the District Maps, appended to and forming part of By-law No. 6593, are amended,

(a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and

(b) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "R-4" (Small Lot Single-Family Detached) district, the land comprised in Block 2; and

(c) by changing from "AA" (Agricultural) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the land comprised in Block 3,

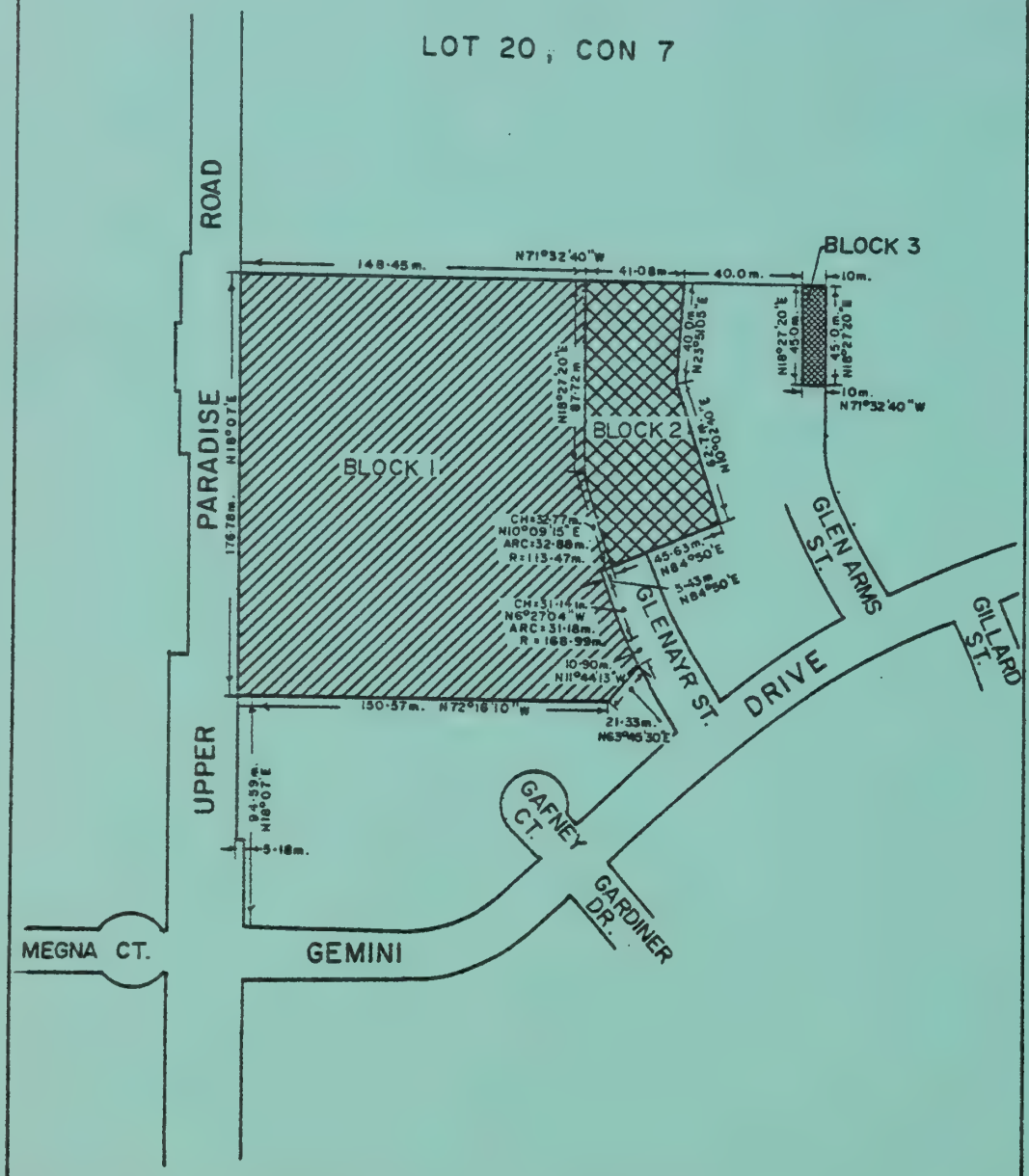
the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 8 R.P.D.C. 6, April 24
Seebeck Construction Co., Ltd.,
and Robert Shelley Construction Ltd., Owners
ZA-83-69



THIS IS SCHEDULE "A" TO BY-LAW NO. 84
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO. 84

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1 — CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "C" (URBAN PROTECTED) RESIDENTIAL, ETC.) DISTRICT.

BLOCK 2 — CHANGE IN ZONING FROM "D" (URBAN PROTECTED RESIDENTIAL-ONE AND TWO FAMILY DWELLINGS, ETC.) DISTRICT TO "R-4" (SMALL LOT SINGLE FAMILY DETACHED) DISTRICT.

BLOCK 3 — CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "D" (URBAN PROTECTED RESIDENTIAL-ONE AND TWO FAMILY DWELLINGS, ETC.) DISTRICT.

NORTH	SCALE	REFERENCE FILE NO.
	N. T. S.	ZA 83-69
	DATE	DRAWING NO.
	MAY 1, 1984	

Bill No. D-74

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 27 MOUNTAIN AVENUE

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) district provisions applicable to the land shown as Block 1 on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

   (a) notwithstanding the width requirement of section 9(4) of By-law No. 6593, the lot shall have a width of at least 9.40 m.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-869".

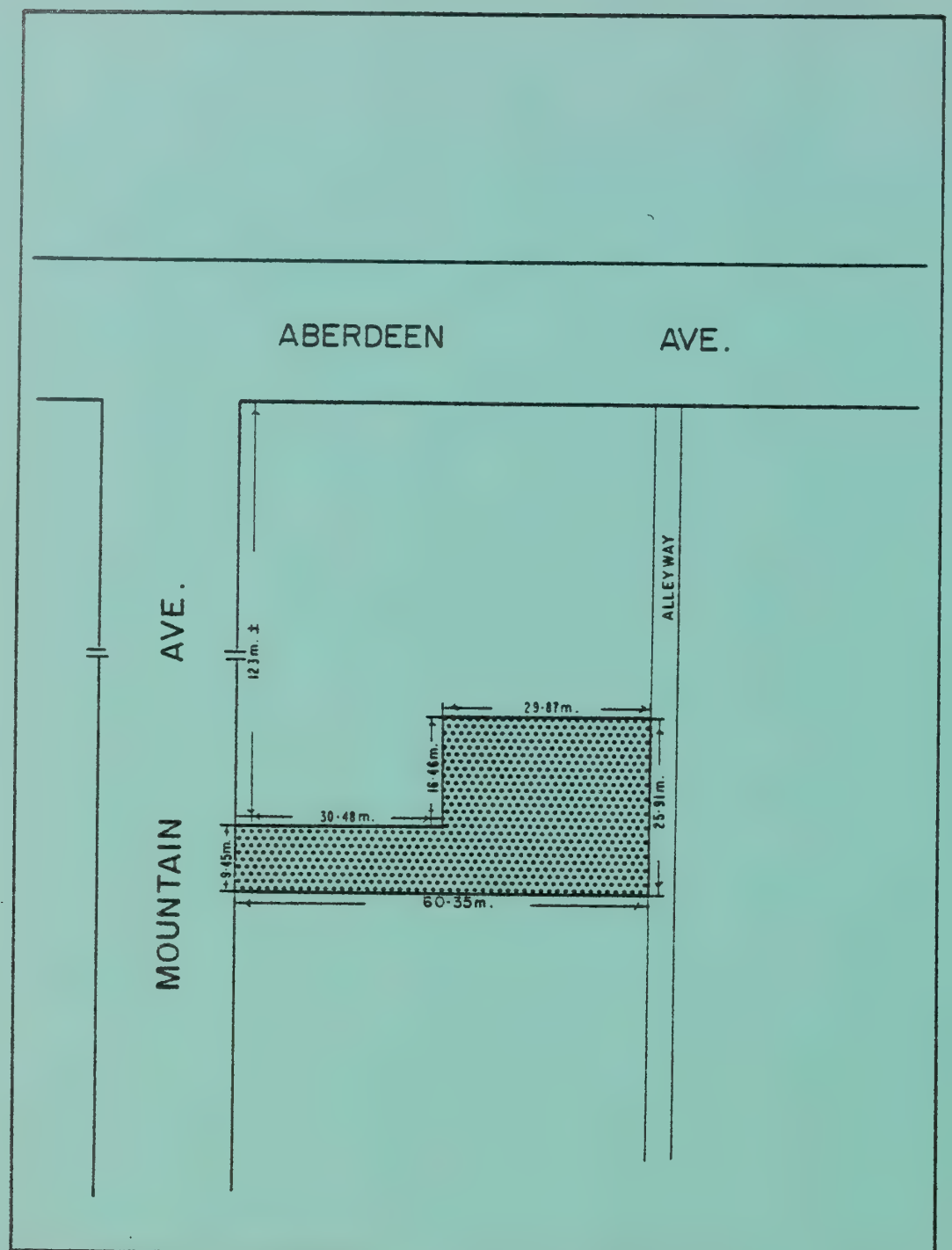
4. Sheet No. W-14 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-869".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 8 R.P.D.C. 8(b), April 24
Helen Cappadocia, Prospective Owner
ZA-84-18



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO. 84-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY-LAW NO. 84 –

North	Scale	Reference File No.
	1:750	ZA 84-18
	Date APR. 30, 84	Drawing No.

Bill No. E-9

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

By-law No. 84-15

Respecting:

WARD BOUNDARY REVISIONS

WHEREAS the Ontario Municipal Board by Order dated the 14th day of February, 1984 (File No. M 830062) ordered as follows:

(a) "that the City of Hamilton be re-divided into eight wards described in Schedule "A" attached to and forming part of this order, and that each such ward shall bear the number respectively shown in such schedule", and

(b) "that such redivision shall take effect on December 1, 1985";

AND WHEREAS By-law No. 84-15, passed on the 10th day of January, 1984, was enacted for the purpose of establishing the ward boundary revisions respecting which the Ontario Municipal Board issued its Order aforesaid;

AND WHEREAS it is intended to adjust the ward boundary between Wards 6 and 7.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Ward 6 boundary description more particularly set out in Schedule "A" to By-law No. 84-15 is repealed and the following substituted in lieu thereof:

WARD 6

Bounded on the west by the centre line of Upper Sherman Avenue, thence south on Upper Sherman Avenue to the centre line of Mohawk Road, thence east on Mohawk Road to the centre line of Upper Gage Avenue, thence south on Upper Gage Avenue to the centre line of Rymal Road, thence west on Rymal Road to the centre line of Miles Road, thence south on Miles Road to the southerly city limits, on the north by the mountain brow, on the east by the easterly city limits and on the south by the southerly city limits.

2. The Ward 7 boundary description more particularly set out in Schedule "A" to By-law No. 84-15 is repealed and the following substituted in lieu thereof:

WARD 7

Bounded on the west by Upper James Street, on the north by the mountain brow, on the east by the centre line of Upper Shermna Avenue, thence south on Upper Sherman Avenue to the centre line of Mohawk Road, thence east on Mohawk Road to the centre line of Upper Gage Avenue, thence south on Upper Gage Avenue to the centre line of Rymal Road, thence east on Rymal Road to the centre line of Miles Road, thence south on Miles Road to the southerly city limits, and on the south by the southerly city limits.

3. Schedule "B" to By-law No. 84-15 is repealed and Schedule "B" - Revised annexed hereto and forming part of this by-law, is substituted in lieu thereof as Schedule "B".

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 9 R.L.C. 2, May 29

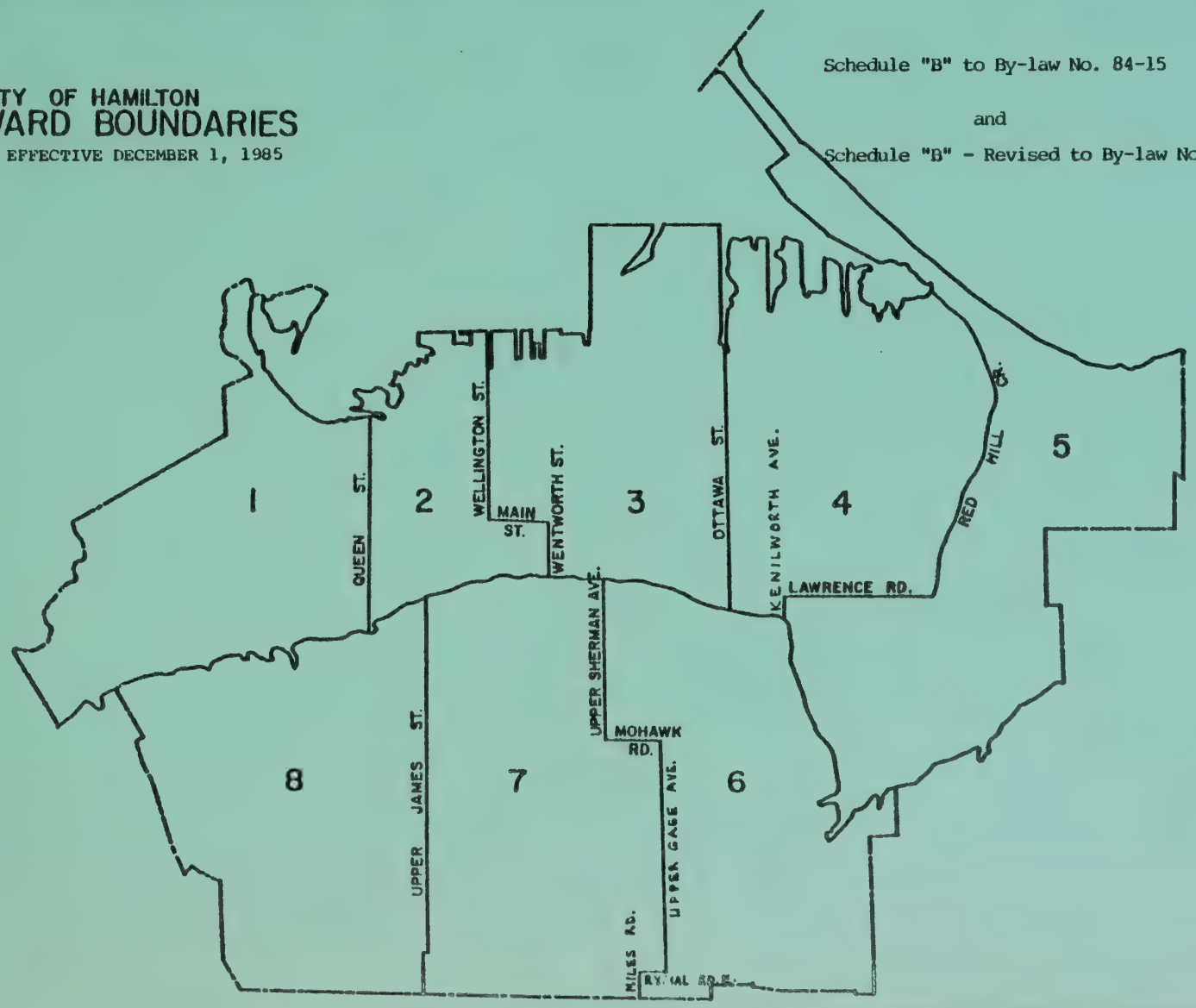
Schedule "B" to By-law No. 84-15

and

Schedule "B" - Revised to By-law No. 84-

CITY OF HAMILTON
WARD BOUNDARIES

EFFECTIVE DECEMBER 1, 1985



Bill No. E-10

BY-LAW NO. 84 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 29th DAY OF May A.D., 1984.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29th day of May A.D. 1984

City Clerk Mayor

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, June 26, 1984
7:30 o'clock p.m.
Council Chambers
City Hall

A G E N D A

1. Prayer

2. Minutes of Previous Meeting held May 29, 1984

3. Petition - Alderman M. Kiss - Re: Pornography and Strip Shows
   (Already distributed to Members of Council)

4. Reports of Standing Committees - attached

   A Transport and Environment Committee
   B Parks and Recreation Committee
   C Finance Committee
   D Planning and Development Committee
   E Legislation Committee
   F Personnel Committee

5. Consideration of Notice of Motion from previous meeting - attached

   (a) Alderman M. Davison

6. Notices of Motion for next meeting

7. First reading of Bills

8. Second reading of Bills - Committee of the Whole

9. Third reading of Bills

10. Question period

11. Adjournment

TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **ELEVENTH** Report for 1984 and respectfully recommends:

1. That the following apartment building (having compaction facilities) be added to the **collection service of compacted waste provided by the City** of Hamilton:

   100 Main Street East (256 Units)

2. That an **Option to purchase part of 155 Ottawa Street North** from Laidlaw Memorial United Church, duly executed on May 7, 1984 and scheduled for closing on August 20, 1984, **be completed.**

   NOTE: The property which is required for intersection improvements, comprises an area of 5.85m^2 (63 sq.ft.) more or less. It is triangular in shape measuring 2.7m (9 ft.) along the westerly limit of Ottawa Street North by 4.26m (14 ft.) along the southerly limit of Cannon Street East.

   The purchase price is $1 030, the cost of which will be charged to account number 0408F-4 1478.

   The owners have also executed an Authority to Enter Agreement authorizing the City to enter onto the subject lands, prior to the closing date, to commence the necessary work.

3. That:

   i. Staff be directed to place the **City owned lands at 74 and 76 Arkledun Avenue for sale on the open market,** for a period of six months, after the property has been rendered saleable, and

   ii. If the property remains unsold for this six month period, the matter be referred back to the Transport and Environment Committee for further consideration.

4. That a **three-way stop control be implemented at the intersection of Bobolink Road and Hummingbird Lane.**

5. That **northbound traffic on Guelph Street be required to stop** at Mahoney Avenue.

6. That a **four-way stop control be implemented at the intersection of Harmony Avenue and Vansitmart Avenue.**

7. That a **parking prohibition be implemented on the east side of Tate Avenue** between Brampton Street and Mead Avenue.

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8. That a **"One Hour Parking Time Limit" regulation, to be in effect 24 hours a day, seven days a week, be implemented on the north side of Robert Street** between Hughson Street North and John Street North.

9. That:

   i. the **agreement registered as Instrument No. 196348 C.D. which permits one vehicle to be parked partially on the City road allowance of Avondale Avenue** adjacent to the property at No. 382 Avondale Avenue, **be discharged,** at the property owner's expense, and;

   ii. the City Solicitor be directed to prepare the documents in relation to the discharge of this agreement.

10. That the **application by William Joseph Bakyta to lease a portion of the boulevard of Earl Street, adjacent to 643, 645 and 647 Barton Street East,** be approved provided that:

   i. the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1976 November 30 (current rate is $142.35), plus taxes, if any, in addition to the $10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.

   ii. the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

   iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.

   iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

11. That the **application by Gus Pusateri and Vincent Volpe (Wentworth Weatherizers Inc.) to lease a portion of the boulevard of Hughson Street North,** adjacent to 33 Barton Street East, be approved provided that:

   i. the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1976 November 30 (current rate is $138.31), plus taxes, if any, in addition to the $10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.

   ii. the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

   iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.

iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

12. That a **stopping prohibition be implemented on the north side of Jackson Street East,** commencing at a point 218 feet east of Catharine Street and extending to a point 83 feet easterly therefrom.

13. That:

    i. a **stopping prohibition be implemented on the east side of Fairfield Avenue,** commencing at Vansitmart Avenue and extending to a point 39 feet northerly therefrom, and;

    ii. a stopping prohibition be implemented on the west side of Fairfield Avenue, commencing at Vansitmart Avenue and extending to a point 38 feet northerly therefrom.

14. That a **"School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Gemini Drive,** commencing at a point 213 feet west of Cranbrook Drive, and extending to a point 40 feet westerly therefrom.

15. That a **stopping prohibition be implemented on the west side of Railway Street,** commencing at Cannon Street and extending to a point 156 feet northerly therefrom.

16. That the **application of Mr. G. D. Fallis, Solicitor, on behalf of the owner, Mr. Josef Kielek, of 126 Rosslyn Avenue North to retain the following inadvertent encroachments** on the road allowances of:

    i. Rosslyn Avenue, front steps approximately 0.46 m by approximately 1.21 m.

    ii. Roxborough Avenue existing bay window approximately 0.23 m by approximately 3.04 m.

    be approved during the pleasure of City Council, provided:

    (a) That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

    (b) That an annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

17. That:

    i. The City Solicitor be directed to proceed with the **preparation of a by-law to widen Kingfisher Drive** by incorporating therein certain 1.0' reserves, being Parts of Lot 11, Concession 6 and being described as all of Parts 5 and 18 and part of Parts 2 and 3, according to Plan 62R-5842.

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ii. The City Solicitor be directed to proceed with the preparation of a by-law to establish Kingfisher Drive at Limeridge Road by incorporating therein Parts 6, 7, 8, 9, 10, 11 and 13, Plan 62R-5842.

iii. The above-mentioned by-laws not be enacted until the City Treasurer and the Region's Commissioner of Finance have advised that all outstanding costs and charges related to these lands have been recovered.

18. That:

i. The City Solicitor be authorized and directed to prepare a **temporary right-of-way agreement to cover the portion of the pathway on Regional lands** to the satisfaction of the Regional Solicitor.

ii. The Regional Surveyor be authorized and directed to undertake the survey and prepare the necessary plan.

19. That the Mayor and City Clerk be authorized and directed to execute an agreement between the City and Camco Inc., permitting **Camco to construct a railway track and signal relay case on part of the road allowance of Longwood Road,** south of the Highway 403 exit ramp.

The Agreement to include:

i. That Camco shall pay the City costs for alternations and improvements which may be required as a result of the installation or removal of the work, as well as for the repair and maintenance of sidewalks and roadways 1.83 m (6 ft.) from the centre line of the track;

ii. That:

(a) No trains to cross the track between the hours of:

7:30 a.m. to 9:00 a.m.; and
4:00 p.m. to 6:00 p.m.

(b) At all other times during each day, crossings will be limited to two (2) instances per track in each direction (i.e. four (4) crossings) and each crossing will be limited to not more than eight (8) cars, and will not obstruct the roadway for more than one hundred and twenty (120) seconds per crossing.

20. That:

i. The Director of the Public Works Department be authorized to **construct sidewalk and associated approaches on Limeridge Road East** in front of parts 1 to 4 of Reference Plan 62R-5807 (near House #161 Limeridge Road East) at an estimated cost of $3 000 and the cost be financed from Account #0280-12.

ii. The City Treasurer be instructed to bill Mr B. L. Hunt, 161 Limeridge Road East, $1 471.05 upon the completion of said sidewalks.

21. That:

   i. The costs of the **reconstruction of the mountable type curb and gutter on Megna Court and Vespari Place** be charged to Reserve Account 0280-12 (Services through unsubdivided lands) and,

   ii. The Commissioner of Engineering be requested to have this work carried out immediately.

22. That Council confirm the action of the Commissioner of Engineering in authorizing the **application of Mr. B. Pearson, of 111 Forestgate Drive for permission to temporarily close Forestgate Drive** from Appleford Road to the driveway of 109 Forestgate Drive, on Monday, May 21, 1984, from 6:00 p.m. to 9:00 p.m., to hold a neighborhood **Victoria Day picnic,** providing that:

   i. Barricading, signing and traffic control are subject to the supervision and direction of the Regional Police Department and at the expense of the organizing group.

   ii. Clean-up of the street will be carried out immediately following the event at the expense of the organizing group.

   iii. The organizing group shall provide public liability insurance in the amount of $1 000 000, naming the City as an added insured party with a provision for cross liability and shall hold the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

   iv. No resident within the barricaded area will be denied access to his residence, upon request.

23. That the following **portions of local roads be temporarily closed** from 1:00 p.m. to 5:00 p.m., on Sunday, September 9, 1984 in order that the Hamilton Velo Club may hold its **bicycle race:**

   i. Caroline Street from Main Street to George Street
   ii. Hess Street from Main Street to King Street
   iii. George Street from Caroline Street to Hess Street

   with approval being subject to the following conditions:

   (a) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City;

   (b) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of local roads, at no cost to the City;

   (c) That the applicant provide proof of $1 000 000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss;

   (d) That the applicant reimburse the Regional Police Department, Department of Public Works and the Hamilton Street Railway for any extra costs incurred by these agencies;

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(e) That the applicant deposit a cheque in the amount of $300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Engineering. The cheque will be returned to the applicant after the race if the above conditions are satisfactorily met.

24. That the City Solicitor be directed to **prepare a by-law,** and other staff be directed to do what is necessary to **establish as a street certain lands in Lot 24, Concession 2, former Township of Saltfleet,** said streets to provide access to street "B" in Stawberry Hills Subdivision and to be described by the Regional Surveyor.

25. That leave be granted to introduce the following bills:

(a) A-21 By-law to Amend By-law No. 66-100, 75-155, 75-168, 77-181 and 80-179 Respecting Tag Penalties

(b) A-22 By-law to Amend By-law No. 66-100 to Regulate Traffic

(c) A-23 By-law to Amend By-law No. 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED

ALDERMAN H. MERLING, CHAIRMAN

R. C. Prowse, Secretary

1984 May 28

TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TWELFTH** Report for 1984 and respecfully recommends:

1. That :

   i. the offer made by Canadian Pacific Railway, with respect to the **settlement of the City of Hamilton's claim against Canadian Pacific for breach of contract**, be considered and that Canadian Pacific Railway be requested to provide particulars of its existing services as well as what it proposes to provide with respect to "lease line" services, and

   ii. the City's Planning Department provide an inventory of existing services and the location of these services, and

   iii. Council be advised of these recommendations of the Committee and that the City's legal consultant attend and advise the City further, after receipt of the information requested above.

   iv. It is further recommended that the account of the City's legal consultant, Wright and McTaggart, in the amount of $48 067.93, which covers fees from May 1983 to May 31, 1984, be approved for payment.

2. **SKYWAY LAWN EQUIPMENT LTD., Hamilton, Ontario**

   Supply and delivery of Grinders in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

1 Situ Express Dual Cylindrical Grinder	$13 602.00
1 Angle Master Bed Knife Grinder	8 500.00
	$22 102.00
Ontario Retail Sales Tax 7%	1 547.14
	$23 649.14

   NOTE: Only acceptable tender.
   Funds have been provided in the approved estimates for this purpose.

3. That **Group Eight Engineering Limited be hired to provide structural, electrical and mechanical consulting engineering services** for the project respecting the addition to the vehicle maintenance facility, for the fee of 5.5% of the cost of the works in accordance with their proposal no. 1239.

4. That the following **apartment building (having compaction facilities) be added** to the **collection service** provided by the City of Hamilton:

   700 Upper Kenilworth Avenue (212 units)

5. That, for the purposes of completing the implementation of the 1st-Priority-Actions, Downtown Hamilton Action Plan, the firm of **O'Brien Contracting Incorporated, Breslau, Ontario, be provided an exemption from the provisions of By-law No. 79-292** (To Cover Noise) for a period not to exceed four (4) months.

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6. That the Chairman of the Transport and Environment Committee, or his designate, be **authorized to attend the Water Pollution Control Federation's 57th Annual Conference/Exposition** from September 30th to October 4, 1984, New Orleans, Louisiana.

7. That the Real Estate Department be authorized to undertake to **negotiate the acquisition of all or part of the four properties known as municipal numbers 332 and 324 Magnolia Drive and 118 and 128 Guildwood Drive** in Fessenden and Gurnett Neighborhoods, on a willing buyer/seller basis, on the presumption that all four parcels can be acquired simultaneously more or less.

   NOTE: Assuming that the said properties are acquired in this manner, acceptance of this recommendation will further authorize the Real Estate Department to allocate the easterly ten foot flankage of 332 Magnolia Drive and 128 Guildwood Drive, and the westerly ten foot flankage of 324 Magnolia Drive and 118 Guildwood Drive for the construction of a municipal walkway connecting the Fessenden and Gurnett Neighbourhoods. The remaining properties and residences thereon to be immediately marketed.

8. That the Director of Real Estate be authorized to **negotiate for the acquisition of three residential attached dwellings known as Municipal No. 116, 118 and 120 Bay Street,** on a willing buyer/seller basis, on the understanding that all three units must be acquired simultaneously, more or less.

   NOTE: The lands comprise an area of 3 068 square feet more or less on the south east corner of Bay and Cannon Streets, contiguous to City owned arena parking lands. Acquisition of these lands will provide full street frontage of the City's holding, and permit maximum utilization of same in terms of parking spaces overall.

9. That an **Option to Purchase a triangular shaped parcel of land duly executed by Frank Mario LoPresti and Gerald LoPresti** on June 5, 1984 and scheduled to close on or before July 31, 1984 be completed.

   NOTE: This property is required for the reconstruction of Catharine Street and contains $2.4m^2$ (25.834 square feet) more or less at 94 Jackson Street East for the sum of $536. The acquisition costs are to be charged to account 0405-24129.

10. That:

    i. an **easement agreement be completed with Ontario Hydro for an easement over Hydro lands on Upper Horning Road** more particularly described as part of Lot 55, Concession 2, Geographic township of Ancaster, for the purpose of a storm drainage ditch.

    ii. the City Solicitor be authorized to complete this transaction.

    NOTE: The easement is over an area of 1.88 acres, shown on Plan 22-947 Surveys. The purchase price is $892.30 plus $1 249.22 interest for a total cost of $2 141.52 to be charged to account 0280-02. Interest is being charged from the time of occupation, which is 1970, to the present date.

11. That the **Offer from Taylor Forge Canada Ltd.** duly executed on May 11th, 1984 and scheduled for closing on August 6th, 1984, **to purchase a parcel of land** described as Part 3 on Reference Plan 62R-1243 for the sum of $7 870, **be approved.**

NOTE: The property comprises an area of 0.0787 acres that abuts Taylor Forge Canada Ltd. located at 1675 Burlington Street East.

A money order in the amount of $787 is on deposit in the Treasury Department. The proceeds of this sale are to be credited to account 0280-02 - Reserve.

12. That with respect to the **sale of the lot at 96 Salem Avenue to Kenneth C. Whitwell** approved by Council on January 3, 1984, (Item 3 of the First Report of the Transport and Environment Committee) approval be given:

    i. to extend the closing date for this transaction to July 9, 1984 (scheduled closing date was May 28, 1984)

    ii. to extend the date by which the purchaser is entitled to submit requisitions to June 11, 1984.

13. That the **existing parking prohibition on the south side of Herkimer Street,** commencing at a point 200 feet west of Park Street South and extending to a point 30 feet westerly therefrom be extended, such that the regulation commences at a point 200 feet west of Park Street South and extends to a point 45 feet westerly therefrom.

14. That the **existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Nelson Street,** commencing at Pearl Street and extending to a point 210 feet westerly therefrom be shortened, such that the regulation commences at Pearl Street and extends to a point 104 feet westerly therefrom.

15. That:

    i. the **"Alternate Side Parking" regulation on Roxborough Avenue between Tragina Avenue and Weir Street be rescinded**, and,

    ii. **parking be prohibited on the south side of Roxborough Avenue** between Tragina Avenue and Weir Street.

16. That a **"One Hour Parking Time Limit, 7:00 a.m. to 4:00 p.m. Monday to Friday" regulation be implemented on both sides of East 31st Street** between Concession Street and Crockett Street (in areas where parking is permitted) in combination with the existing "Alternate Side Parking" regulation.

17. That the **application by Gregory and Maria Tyrosvoutis (Handee-Mart Variety) to lease a portion of the boulevard of Robert Street,** adjacent to 208 Mary Street, be approved provided that:

    i. the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1976 November 30 (current rate is $198.68), plus taxes, if any, in addition to the $10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.

    ii. the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

    iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.

B

iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

18. That the **application by McKerlie Millen (Ontario) to lease a portion of the boulevard of Britannia Avenue,** adjacent to 200 Parkdale Avenue North, be approved provided that:

i. the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1976 November 30 (current rate is $184.90), plus taxes, if any, in addition to the $10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.

ii. the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.

iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

19. That, in accordance with the recommendations of the Hamilton-Wentworth Regional Police Department;

i. **a school traffic officer be assigned to the intersection of Fennell Avenue East and East 44th Street,** during the morning and evening hours only, and

ii. the Finance Committee be requested to recommend the method of financing an amount of approximately $1 200 to cover the cost of assigning a school traffic officer to this location for the remainder of 1984.

20. That the following **revisions be made to the "Snow Route" system:**

ADD - Rosedale Avenue, Dundonald Avenue to Greenhill Avenue
- Greenhill Avenue, Rosedale Avenue to Cochrane Road
- Cochrane Road, Greenhill Avenue to Dundonald Avenue

DELETE - Dundonald Avenue, Rosedale Avenue to Cochrane Road

21. That a **"School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Macklin Street,** commencing at a point 843 feet north of Dufferin Street and extending to a point 120 feet northerly therefrom.

22. That **two stopping signs be erected on Markham Street,** one between James and Bay Streets and one between Bay and Queen Streets, and that the Acting Traffic Commissioner be directed to determine the most appropriate location for these signs.

23. That the action of the Commissioner of Engineering in approving the **application of Niagara Television Ltd. for permission to temporarily close Jackson Street West** from Hess Street to Caroline Street on Thursday, June 7, 1984 from 9:00 a.m. to 2:00 p.m., **be approved** subject to the following conditions:

i. The organizing group hold the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages and losses;

ii. The organizing group is to provide proof of public liability insurance in the amount of $1 000 000 naming the City as an additional third party insured with a provision for cross liablility;

iii. Clean-up will be carried out immediately following the event at the expense of the organizing group.

24. WHEREAS an application has been received from the Department of Community Development of the City of Hamilton to **close parts of various alleys and Cope Street within the boundaries of Homeside Neighborhood Improvement Area - Proposed Park,** and

WHEREAS City Council, on April 28, 1981, approved the Homeside Neighborhood Plan which provides for a neighborhood park,

IT IS THEREFORE RECOMMENDED THAT:

i. The City Solicitor be directed to prepare a By-law for the stopping-up, closing and retention of Cope Street, from Britannia Avenue to Allan Avenue;

ii. The City Clerk be directed to publish a notice on June 30, 1984, July 7, 1984, July 14, 1984 and July 21, 1984, pursuant to Section 301, of the Municipal Act R.S.O. 1980 of City Council's intentions to pass the proposed By-law;

iii. The City Solicitor be authorized to make an application to a County Court Judge pursuant to Section 82 of the Registry Act R.S.O. 1980, for an order closing and selling Part 2, Part 4, Part 6, Part 8, Part 14, and Part 12 of alleys as shown on Plan No. 62R-6999;

iv. The applicant provide a 2.0m easement to Union Gas Ltd., and a 3.0m easement to Hamilton Hydro, with respect to their plant on Cope Street;

v. The applicant provide a full width of road allowance easement to the Region to provide access to their underground utilities on Cope Street;

vi. The City Solicitor be authorized to prepare the easement agreements on the said street to the Region, Hamilton Hydro and Union Gas;

vii. The applicant satisfy the requirements of Bell Canada and Hamilton Hydro with respect to the disposition of their plant;

viii. The Regional Surveyor be authorized to prepare and deposit necessary reference plan(s);

ix. The Commissioner of Engineering be authorized to sign an affidavit attesting to the fact that public funds have not been expended on the various parts of alleys to be closed;

x. The Mayor and City Clerk be authorized to execute the easement agreements;

xi. The Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closings under Section 51 of The Regional Act.

B

25. That the City Solicitor be directed to proceed with the **preparation of a by-law to widen Rexford Drive** by incorporating therein a portion of Block "AX", according to Randall Estates (Phase One) registered Plan M-200, being a strip of land 1.0' wide by approximately 50' long.

26. That $39 640 be **transferred from the Local Roads Budget-Slurry Seal (Account #0352-0665) to Public Works Department Budget-Crack Sealing,** (Account #0350-12).

27. WHEREAS Clause 8(b) of the Tenth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1980 March 11, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of Oakland Park Extension No. 4, Anthony DiSilvestro;**

IT IS RECOMMENDED THAT:

i. The submitted schedules for the estimated cost of services in "Oakland Park Extension No. 4", **appended hereto,** as approved by the Commissioner of Engineering be adopted for inclusion in the proposed Subdivision Agreement;

ii. The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

iii. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

28. WHEREAS Clause 3(b) of the First Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1984 January 31, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of Kimberly Estates Addition, Di Cenzo Construction Company Limited;**

IT IS RECOMMENDED THAT:

i. The engineeirng schedules for the estimated cost of services in "Kimberly Estates Addition, **appended hereto,** as approved by the Commissioner of Engineering be adopted for inclusion in the proposed Subdivision Agreement;

ii. The City's share for the cost of services for this development ($48 586) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

TYPE OF WORK	AMOUNT TO BE FINANCED
Sidewalks	$8 514
Catch Basins and Connections	2 825
Fencing	7 241
Sewers	23 940
Watermains	6 066
TOTAL	$48 586

iii. The approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

29. That:

i. The **reconstruction of the sidewalks on the north side of Fennell Avenue** at various locations between Upper James Street and East 9th Street at an estimated cost of $12 000 **be included in the 1984 Reconstruction Program - Supplementary List.**

ii. The Commissioner of Engineering be authorized and directed to undertake these works on behalf of the City of Hamilton once all the necessary approvals have been received.

30. That:

i. The Director of Public Works be authorized and directed to arrange for the **supply and installation of approximately 33.5m of 1.5m high chain link fence along the north property line of #170 St. Andrews Drive.**

ii. The cost of the fence ($870) be financed from Account #0352-0461 (Paths and Walkways).

iii. The Commissioner of Engineering be authorized and directed to issue the necessary requisition.

31. That:

i. The request of Messrs. G. J. Donikian and D. M. Jianu to **paint a mural on the wall adjacent to the Wentworth Street steps** on the south side of the Sherman Access be approved.

ii. That the Director of Public Works be authorized and directed to provide the necessary equipment to facilitate the painting.

iii. The applicants provide proof of $1 000 000 public liability insurance, naming the City and Region as added insured parties with a provision for cross liability and hold the City and Region harmless from all actions, interest, claims, demands, costs, damages, expenses and loss.

32. That Item 26 of the Ninth Report of the Transport and Environment Committee approved by Council on May 29, 1984, **be amended to permit the occupant John Katsiris Limited, and not the owner, to enter into the Outdoor Boulevard Cafe Seasonal Licence** with the City.

33. That **Mr. Harry Mitsui be paid $57 850 in compensation for the market value of his expropriated premises at 490 York Street,** plus a residential relocation allowance of $725 for a total of $58 575 and interest thereon at the rate of $10% per year on such part of the $58 575 as shall from time to time remain outstanding, calculated from June 10, 1976 (being the date of the court order giving the City possession of Mr. Mitsui's premises) to date of payment, as ordered by the Ontario Municipal Board in its order of March 12, 1984.

Mr. Mitsui has already received $35 000 being the City's statutory offer of compensation, leaving a balance to be paid of $23 575 plus interest as ordered.

Mr. Mitsui retained W. R. Kellough & Associates (Canada) Inc. as his appraisers and pursuant to the provisions of the Expropriations Act, the order of the Ontario Municipal Board and the recommendation of the Real Estate Deparmtent, **it is recommended that the Kellough accounts totalling $16 641.63 (not including the interest charges) be paid.**

34. That the **subdivision agreement for Chedoke Ravine Estates be modified to permit the deletion of the requirement for sidewalks on Balfour Drive,** north of the north boundary of Lot No. 18, as per the submitted petition.

35. That Council confirm the action of the Transport and Environment Committee in approving the following:

    That the **application of the Locke Street Businessmen's Association for permission to hold a sidewalk sale** on Thursday, June 21, 1984 and Friday, June 22, 1984 from 9:00 a.m. to 9:00 p.m. and Saturday, June 23, 1984 from 9:00 a.m. to 6:00 p.m. at the following location.

    1. Locke Street from Main Street to Herkimer Street, each side, be approved subject to the following conditions:

        a. The organizing group to hold the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss.

        b. The organizing group provide proof of public liability insurance in the amount of $1 000 000 naming the City as an additional third party insured, with a provision for cross liability.

        c. Clean-up of the sidewalk will be carried out immediately following the event, each day, at the expense of the organizing group.

        d. The operation of the sale does not interfere with hydrants, pedestrian traffic along the sidewalk nor at bus stop areas. A minimum of 2m of unobstructed sidewalk, where possible, remain open for pedestrian traffic.

36. That leave be granted to introduce the following bills:

    (a) A-24 By-law to Widen Kingfisher Drive by incorporating therein part of Part 3, Plan 62R-5842, being a strip of land .3m wide by 196.175m long

    (b) A-25 By-law to Widen Ridley Drive, be incorporating therein a 1 foot reserve, being part of Block "EX", Plan 62M-135

    (c) A-26 By-law to Extend Greenhill Avenue, to a point 423 metres southerly of King Street, Parts 2 & 3, 62R-6919

    (d) A-27 By-law to Extend Pinewarbler Drive, by incorporating therein Block 40, Plan 62M-341, being a strip of land .5m wide by approximately 21m long

    (e) A-28 By-law to Widen Adis Avenue, by incorporating therein Block "AX", Plan M-228

    (e) A-29 By-law to Widen Garth Street, by incorporating therein Parts 2 & 3, 62R-7004

(f) A-30 By-law to Alter and Reconstruct a portion of King Street from Catharine Street to John Street

(g) A-31 By-law to Sell part of a Stopped-up highway, Parts 1 & 2, 62R-6882 (formerly known as Paradise Road), to 511339 Ontario Limited

(h) A-32 By-law to Amend By-law No. 66-100 to Regulate Traffic

(i) A-33 By-law to Amend By-law No. 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

R. C. PROWSE, SECRETARY

ALDERMAN H. MERLING, CHAIRMAN

1984 June 18
Attach.

B

Referred to in Section 27
of the Twelfth Report of
the Transport and
Environment Committee.

SCHEDULES E, F, AND G

ENGINEER'S ESTIMATE
OF
COST OF CATCH BASINS, SIDEWALKS,
CURBS AND ROADS
FOR
OAKLAND PARK EXTENSION NO. 4
HAMILTON, ONTARIO

OWNER:

ADISCO LIMITED
158 Hester Street,
Hamilton, Ontario
L9A 2N8

REGISTERED PROFESSIONAL ENGINEER
CIVIL
J. A. MARSHALL
PROVINCE OF ONTARIO

SUBMITTED BY:

URBEX MANAGEMENT LIMITED

J. A. Marshall

J. A. Marshall, P. Eng.

Date: Friday 11/84

APPROVED BY:

REGIONAL MUNICIPALITY OF HAMILTON-
WENTWORTH
DEPARTMENT OF ENGINEERING

Commissioner of Engineering

Date: June 11/84

SCHEDULE "E"

OAKLAND PARK EXTENSION NO. 4

Requirements for Boundary Street and Estimate of Costs

Part 'A' - Works to be installed and paid for by subdivider.

Federal Street - From Berkindale Drive to the East Limit of Subdivision.

Combined Sidewalks and Curbs (South Side Only)

43.5 Metres @ $70.00/m	$ 3,045
TOTAL PART 'A'	$ 3,045

Part 'B' - Works to be carried out by Local Improvements

- NIL-

B

"SCHEDULE F"

OAKLAND PARK EXTENSION NO.4

Works to be installed by Subdivider and costs shared as shown:

			SUBDIVIDER	CITY
1. CATCH BASINS AND CONNECTIONS.				
Berkindale - 1 single			$1,000.	--
2. Road Base Course ($68.00/m), HM5 ($105.00/m).				
Berkindale -	Base -	28m	$1,904.	
	HM5 -	28m	2,940.	
	D.E. Barricade -	1	750.	
			$5, 594.	--
3. Sidewalk and Curb ($70.00/m)				
Berkindale - 53m			$3,710.	--
4. Finished Roads ($40.00/m)				
Berkindale - 28m			$1,120.	--
5. Street Lighting				
Berkindale - 1 pole			$1,500.	--

Notes:
(1) No preliminary roads to be installed.
(2) All walks and curbs to be constructed within 6 months of the completion of the sewer and water services.
(3) The asphalt binder course for all final roads must be constructed within 6 months of completion of sewer and water services.
(4) The asphalt surface course is to be completed not earlier than 12 months and not later than 18 months after the completion of the sewers. If the 18 month period falls between November 1st. and April 1st., then the surface course of asphalt must be completed by June 30th. of the same year following April 1st.
(5) Street lighting to be installed by Hamilton Hydro and paid for by the Subdivider.

SCHEDULE "G"

OAKLAND PARK EXTENSION NO. 4

A. WORK TO BE CARRIED OUT AND PAID FOR BY OWNER:

SEEDING

Frontage and flankage of lots 1 to 4 inclusive, and Block 5 on west side of Berkindale.

70.9 m X 4.27 m = 303 m² @ $2.40/m²	$ 727.
15% Maintenance	109.
	$ 836.

B. WORK TO BE CARRIED OUT BY CITY AND PAID FOR BY OWNER:

Frontage and flankage of lots 1 to 4 inclusive, and Block 5.

70.9 m @ $1.00/m	$ 71.

All seedings to be completed within 6 months of installation of sidewalks and curbs.

B

SUMMARY OF SCHEDULES E, F AND G

OAKLAND PARK EXTENSION NO. 4

1. OWNER'S SHARE

(a)	Local Improvements	NIL
(b)	Trees	$ 71.
(c)	Replace survey monuments and standard iron bars	750.
(d)	Seeding (including 15% maintenance of $109.)	836.
(e)	Street name signs - 1 corner lot @ $38.00	38.
(f)	Street lighting - 1 pole	1,500.
		$ 3,195.

TYPE OF WORK	CONSTRUCTION COST	MAINTENANCE 3%	INSPECTION 2%	ENGINEERING 10%	
Catch Basins	$ 1,000.	$ 30.	$ 20.	$ 100.	$ 1,150.
Base Course & HM5	5,594.	168.	112.	559.	6,433.
Sidewalk & Curb	6,755.	203.	135.	676.	7,769.
Finish Road	1,120.	34.	22.	112.	1,288.
	$ 14,469.	$ 435.	$ 289.	$ 1,447.	$ 16,640.

OWNER'S SHARE - $ 19,835.

CITY'S SHARE - NIL

A. J. Clarke and Associates

SCHEDULES "E", "F", "F1" & "G"

KIMBERLY ESTATES ADDITION

CITY OF HAMILTON

Referred to in Section 28 of the Twelfth Report of the Transport and Environment Committee.

Submitted by: A.J. Clarke & Associates

A.J. Irani, P. Eng.

Date: May 8, 1984

Approved by: .....
Commissioner of Engineering

Date: June 11/84

Regional Municipality of Hamilton-Wentworth
Department of Engineering

B

SCHEDULE "E"

KIMBERLY ESTATES ADDITION

Requirements for Boundary Highways and Estimate of Costs.

PART "A"

Works to be installed and costs shared as shown.

	Subdivider	City
1. **Kimberly Drive** from north limit of Block 16 to south limit of Block 16.		
Sidewalk on west side only -		
City's frontage: 150.7m at $50/m		$ 7,535.00
Subdivider's frontage: 258.4m at $50/m	$ 12,920.00	
2. **Inlet Chamber** to be reconstructed opposite existing watercourse on Block 15.		$ 2,500.00
3. **Fencing** adjacent to open space (Block 15).		
356m at $36.00/m = $12,816.00	$ 6,408.00 (50%)	$ 6,408.00 (50%)
TOTAL FOR PART "A"	$ 19,328.00	$16,443.00

PART "B"

Works to be carried out as Local Improvements.

NIL

Note: 1. All works to be constructed within 6 months of completion of sewer and water services.

2. The cost of installation of sidewalks in item 1 above, includes the cost of curb cuts and driveway approaches.

SCHEDULE "F"

KIMBERLY ESTATES ADDITION

Requirements for other than Boundary Highway.

NIL

SCHEDULE "F1"

KIMBERLY ESTATES ADDITION

City's share of sewer and watermain services.

PART "A"

Construction Cost (including contingency, maintenance and Regional inspection fee).

1. SEWERS

a) KIMBERLY DRIVE from north limit of Lot 14 to south limit of Lot 13.

Sanitary and storm sewers - Estimated Cost =	$21,000.00	
City's share of estimated cost =	$21,000.00 (100%)	
Maintenance (3%) =	$ 630.00	
Inspection (3%) =	$ 630.00	
Total Construction Cost	$22,260.00	$22,260.00

2. WATERMAINS

a) KIMBERLY DRIVE from north limit of Lot 14 to south limit of Lot 13.

150mm dia. watermain - Estimated Cost =	$ 5,320.00	
City's share of estimated cost =	$ 5,320.00 (100%)	
Maintenance (3%)	$ 160.00	
Inspection (3%)	$ 160.00	
Total Construction Cost	$ 5,640.00	$ 5,640.00
TOTAL FOR PART "A"		$27,900.00

PART "B"

Engineering and Supervision (8%)

KIMBERLY DRIVE from north limit of Lot 14 to south limit of Lot 13.

1. SEWERS

For sanitary and storm sewers
8% of $21,000.00 — $ 1,680.00

2. WATERMAINS

8% of $5,320.00	$ 426.00
TOTAL FOR PART "B"	$ 2,106.00
TOTAL FOR SCHEDULE "F1"	$30,006.00

A. J. Clarke and Associates

SCHEDULE "G"

KIMBERLY ESTATES ADDITION

PART "A"

Works to be carried out and paid for by the subdivider.

SEEDING

7.32m wide boulevard for frontage of Lots 1 to 14 (incl.)	
Cost calculated at $2.40/m^2 for a total of 1891.5 m^2.	$ 4,540.00
Maintenance (15%)	$ 681.00
TOTAL FOR PART "A"	$ 5,221.00

PART "B"

Works to be carried out by the City and paid for by the Subdivider.

TREES

Frontage of Lots 1 to 14 (incl.)	
Cost calculated at $1.00/m for the total frontage and flankage of 258.4m	$ 258.40
TOTAL FOR PART "B"	$ 258.40
TOTAL FOR SCHEDULE "G"	$ 5,479.40

Note: All seeding to be planted within 6 months of completion of sidewalks.

A. J. Clarke and Associates

SUMMARY SHEET

CITY'S SHARE

A. Services to be installed by the Subdivider.

	Construction Cost
1. Sidewalks	$ 7,535.00
2. Catch basins & Connections	$ 2,500.00
3. Fencing	$ 6,408.00
Total Construction Cost	$16,443.00
Inspection (2%)	$ 329.00
Maintenance (3%)	$ 493.00
Engineering (8%)	$ 1,315.00
TOTAL	$18,580.00
B. Street Lighting	
C. City's share of sewers and watermains (incl. engineering fee of $2,106.00)	$30,006.00
TOTAL CITY'S SHARE	$48,586.00

SUBDIVIDER'S SHARE

A. Services to be installed by the Subdivider.

1. Sidewalks	$12,920.00	
2. Fencing	$ 6,408.00	
Total Construction Cost	$19,328.00	
Inspection (2%)	$ 387.00	
Maintenance (3%)	$ 580.00	
Engineering (8%)	$ 1,546.00	
TOTAL	$21,841.00	$21,841.00
B. Local Improvements		-
C. Replacing of damaged or missing survey monuments & s.i.b.'s		$ 1,200.00
D. Tree Planting.		$ 258.40
E. Street name signs.		$ -
F. Seeding (including maintenance of $681.00)		$ 5,221.00
G. Street lighting.		$ -
TOTAL SUBDIVIDER'S SHARE		$28,520.40

TOTAL CITY'S SHARE:	$48,586.00
TOTAL SUBDIVIDER'S SHARE	$28,520.40
GRAND TOTAL	$77,106.40

B

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TENTH** Report for 1984, and respectfully recommends:

1. Approval of the awarding the following contract:

   CHILDREN'S PLAYGROUNDS INC., Unionville, Ontario

   Supply and install a Creative Playstruture in accordance with specifications issued by the Director of Purchasing and Vendor's Tender and Model, for the total sum, including all charges, of ..... $14,940.00.

   NOTE: Lower of 2 acceptable tenders.

2. (a) That the Composition of the Committee established for technical advice and coordination of all aspects of recreational planning effecting Pier 4 and the Westport Area be increased so as to provide for one additional member of City Council.

   (b) That Alderman B. Charlton be appointed to the Committee established for technical advice and coordination of all aspects of recreational planning effecting Pier 4 and the Westport Area.

   NOTE: With the adoption of Section 8 of the 2nd Report of Parks and Recreation Committee, City Council at its meeting on February 14, 1984 approved of the establishment of this Committee which includes members of City Council, a member of the Hamilton Region Conservation Authority, various civic staff members, a member of the Hamilton Harbour Commission, as well as private citizens.

3. Approval of the leasing of the following City owned lands at the rear of Veevers Drive to the abutting property owners for the sum of $1.00 per annum, plus taxes for landscaping purposes only. Lease to commence on the first day of the month following City Council approval.

	Address	Owner	Size of Land to be Leased
(a)	7 Veevers Drive	Kazimierz & Janina Wojciak	55' X 7'/19'
(b)	15 Veevers Drive	Boris & Barica Rahija	56' X10'/3'
(c)	27 Veevers Drive	Barbara Jean Carter	47' X 5'/1.5'
(d)	31 Veevers Drive	Ole Anderson	47' X 14'
(e)	35 Veevers Drive	Robert & Anne Hampson	38' X 13'/19'
(f)	39 Veevers Drive	Drago & Angela Pericak	39' X 7'
(g)	43 Veevers Drive	Anton Podrebarac	40' X 7'/36'
(h)	47 Veevers Drive	Frank & Mary Vaivila	46' X 21'
(i)	51 Veevers Drive	Stefan & Angela Svetanic	46' X 7'
(j)	59 Veevers Drive	Terry & Gwendolyne Clark	46' X 15'

4. (a) Approval of an interest free loan to the Rosedale Tennis Club of an amount of up to $100,000.00 for the financing of the following:

(i) Termination of the existing air structure lease with CWT Canadian Winter Tennis;

(ii) Purchase of a used air structure complete with an interior liner (membrane) as approved by the Director of Culutre and Recreation and City Architect;

(iii) Purchase of the necessary appurtenances for the used air structure (furnace, fans, etc.);

(iv) Payment to the City of the outstanding utility charges.

(b) That this loan to be subject to the execution of an agreement between the City and the Rosedale Tennis Club which agreement shall include among other conditions the following:

(i) That the outstanding interest free loan in the amount of $19,500.00 due October 19, 1984 be extended for a further one year period to be repaid October 19, 1985;

(ii) That the Rosedale Tennis Club terminate the lease for the existing air structure for a sum not to exceed $15,600.00;

(iii) That the loan be interest free and payable on demand in whole or in part or where no demand has been made no later than in five equal installments on the 30th day of September in each of the years 1986 to 1991 inclusive;

(iv) That the Rosedale Tennis Club not be permitted to undertake any further capital improvements to the faciltiy until this loan, together with any other indebtedness to the City is paid;

(v) That upon presentation of a proper invoice, the City will advance monies payable to the vendor and the Rosedale Tennis Club;

(vi) That the City may inspect the Rosedale Tennis Club's books at any time and that the Club will provide financial information as may be required by the City Treasurer from time to time upon request.

(c) That all the necessary agreements and/or amendments to the existing lease between the City and the Rosedale Tennis Club satisfactory to the City Solicitor, be prepared giving effect to this resolution and further that the Mayor and City Clerk be authorized to execute all such agreements.

(d) That the property insurance required to be provided by the Rosedale Tennis Club in accordance with the existing lease be amended appropriately if it is determined by the City Clerk that other appropriate and less expensive insurance can be provided.

(e) That the Finance Committee be requested to recommend the method of financing this expenditure.

5. That the use of metal veterans' crosses in all Municipal Cemeteries be discontinued and that a rebate of $150.00 in lieu of a cross be paid to the estate of a deceased veteran who purchases a flat veterans' marker.

   NOTE: This recommendation is made by the Hamilton Veterans Committee in view of the increasing costs of purchasing the metal crosses which are currently approximately $160.00 as well as the high degree of vandalism experienced. The Committee further wishes to advise that the Director of Cemeteries concurs with this recommendation.

6. That approval be granted to the Mahony Sports Association to install a non-electrical scoreboard, being donated to that association by Pepsi Cola Ltd, on the fieldhouse at Mahony Park on the understanding that the Association and/or the sponsor will be responsible for the maintenance of the scoreboard and further that the method of installation is satisfactory to the City.

7. Approval of the request of the Kiwanis Club of Hamilton to hold a Hole-In-One Golf Event at Chedoke Golf Course on Sunday, August 26, 1984 with 10 percent of the gross receipts payable to the Corporation of the City of Hamilton.

   NOTE: This is the seventh year of this contest at Chedoke Golf Course and revenues have ranged from $400.00 to $700.00 per annum with the profits being utilized to support Kiwanis projects.

8. (a) That the Concept Plan attached as Schedule "A" for the redvelopment of Parkdale Park in the Normanhurst Neighbourhood be implemented pursuant to the provisions of the Ontario Neighbourhood Improvement Program (ONIP).

   (b) That the Director of Public Works be authorized and directed to take all steps necessary to commence and complete this redevelopment.

   NOTE: Subject to the concurrence and recommendation of the Planning and Development Committee, and the approval of City Council, the cost of this redevelopment which is estimated to be $100,000.00 will be financed pursuant to the provisions of the Ontario Neighbourhood Improvement Program (ONIP) in the Normanhurst Neighbourhood.

9. Approval of the awarding of a contract for the operation of the Summer Concert Series to Skarrat Promotions, Limited, Hamilton, Ontario at a cost not to exceed $20,000.00.

   NOTE: This was the second lowest tender received but provides, however, for the conducting of six (6) concerts as opposed to five (5) concerts as proposed by the lowest tender.

10. (a) That the lease between the City of Hamilton and the Provincial Council for Ontario, The Boy Scouts of Canada dated May 27, 1983 with respect to a portion of the Pier 4 Park area be renewed with the new term to commence June 1, 1984 and expire on October 31, 1984 for an annual rental of $50.00.

    (b) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.

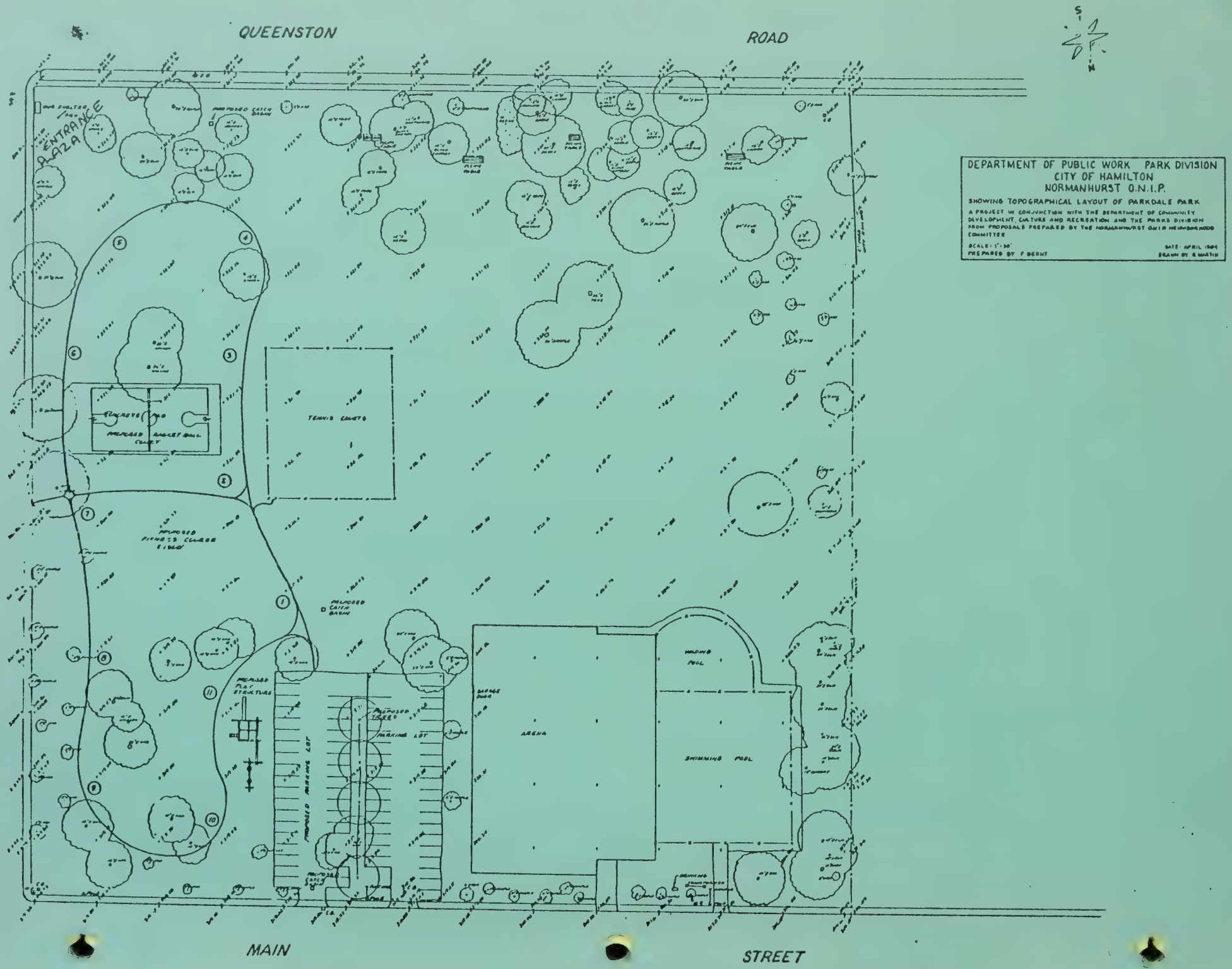
11. That the One-Person One League Policy which has been in effect since 1972 , apply for the 1984-1985 hockey season and further that no waiting list be accepted by any association but rather any overflow be directed to Eastwood, Coronation or any other Arena.

Respectfully Submitted,

ALDERMAN B. HINKLEY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1984 May 31
Attach.

Statement "A"


QUEENSTON
ROAD
PARKDALE
AVENUE
MAIN
STREET
ENTRANCE PLAZA
TENNIS COURTS
PROPOSED BASKETBALL COURT
PROPOSED FITNESS CLASS AREA
PROPOSED PLAY STRUCTURE
PROPOSED PARKING LOT
PROPOSED TREES
PROPOSED CATCH BASIN
ARENA
SWIMMING POOL
WADING POOL
DEPARTMENT OF PUBLIC WORK PARK DIVISION
CITY OF HAMILTON
NORMANHURST O.N.I.P.
SHOWING TOPOGRAPHICAL LAYOUT OF PARKDALE PARK
A PROJECT IN CONJUNCTION WITH THE DEPARTMENT OF COMMUNITY DEVELOPMENT, CULTURE AND RECREATION AND THE PARKS DIVISION FROM PROPOSALS PREPARED BY THE NORMANHURST ONIP NEIGHBOURHOOD COMMITTEE
SCALE: 1"=30'
DATE: APRIL 1984
PREPARED BY F BERNT
DRAWN BY R MARTIN

PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **ELEVENTH** Report and respectfully recommends:

1. Approval of the acquisition of the property at 141 Belview Avenue from Louis Lester Toth for the sum of $28,500.00. Offer to be accepted on or before July 4, 1984. Cash on closing of sale which shall be on or before August 6, 1984.

   NOTE: This property is required for Parks and Recreation purposes in connection with the development of the Crown Point West Priority Park. Sufficient funds are available in Account No. 0408-C16086 to provide for this acquisition.

2. That the application by Ye Bonnie Doon Burns Club to host celebrations at the Gage Park bandshell on Saturday, July 21st, 1984, in conjunction with the placement of a Cairn in the park, be approved subject to the following terms and conditions.

   (a) That the rental fee of $28.00 for use of the bandshell be applicable.

   (b) That the necessary license be obtained for the sale of souvenirs.

   (c) That Comprehensive General Liability Insurance for Property Damage and Bodily Injury be provided.

   (d) That the applicant assume all responsiblity for actual labour charges associated with the event, as reported by the Parks Division.

   (e) That the Park Concessionaire be contacted and arrangements made for the sale of food and soft drinks.

3. That the application by the Hamilton Folk Arts Heritage Council to host It's Your Festival in Gage Park from June 30th to July 2nd inclusive between the hours of 12 noon and 10:00 p.m. be approved subject to the following terms and conditions:

   (a) That $2,000,000.00 Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as the co-insured be provided.

   (b) That the location of the various booths and activities within the park be subject to the approval of the Parks Division in order to reduce damage and high maintenance costs.

   (c) That the organizer assume "actual labour charges" associated with the event as reported by the Parks Division subsequent to Parks Division representatives meeting with the organizer.

   (d) That discussions take place with the Hamilton-Wentworth Regional Police regarding police supervision and traffic control, all associated costs to be the responsibility of the organizer.

(e) That there be no serving of alcohol in the park or bandshell.

(f) That the bandshell rental fee of $28.00 per day be applicable.

(g) That the organizers arrange for public announcements throughout the events advising the general public that dogs must be kept on a leash.

4. Approval of the payment of an account submitted by Bell Telephone in the amount of $28,919.48 for the removal and relocation of telephone lines and services relative to the Central Neighbourhood Park Project.

NOTE: In 1982 Bell Canada submitted a rough estimate in the amount of $19,500.00. The actual work was much more involved than anticipated and much of the work was underground and therefore difficult to estimate accurately.

There are sufficient funds available within the Budget to provide for payment of this account.

5. That the application by the Hamilton Cardinal Baseball Organization to host a Fun Day at Mohawk Sports Complex on Saturday, June 30th from 10:00 a.m. - 10:00 p.m. be approved subject to the following terms and conditions:

(a) That the approved rental fee of $14.00 per hour be applicable.

(b) That all proceeds derived from the operation of a flee market be donated to the Ronald McDonald House and Child Search.

(c) That the necessary license to run a flee market be obtained.

(d) That the Parks Division approve the location of the flee market.

6. That for the purposes of completing the implementation of the 1st-Priority-Actions, Downtown Hamilton Action Plan (i.e., Gore Park, The Gore Park Extension and, Streetscape Development on King Street East, James to Mary Street), the provisions of Hamilton Form 300 A (General Construction Requirements), Item .07 (Construction Noise), be waived to the extent that nevertheless, the firm of O'Brien Contracting, ltd., Breslau, Ontario, may be otherwise directed, from time to time, by the Architect, (i.e., Moorhead Fleming Corban McCarthy, Landscape Architects).

NOTE: For the information of the Members of City Council, the preceding recommendation will afford the Contractor the opportunity to commence construction earlier in the day and complete later while, at the same time, should excessive noise occur and create a disturbance, in certain remote instances, the Architect will have the facility to address same as, and if the need arises.

Respectfully submitted,

ALDERMAN B. HINKLEY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

J. J. Schatz, Secretary
1984 June 14

C

FINANCE COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **TWELFTH** Report for 1984 and respectfully recommends:

1. Approval of the sale of the property at 45 Victoria Avenue North, measuring 52.42 ft. by 144 ft. to Beacon Hill Lodges of Canada Ltd., for an amount of $55,000.00. Cash on closing of sale which shall be on/or before before August 14, 1984.

   NOTE: This property was previously occupied by the Big Brothers Association who have since relocated to new facilities on Main Street East.

2. (a) That the rent calculation contained in Item 11 of the First Report of the Finance Committee as approved by City Council on December 14, 1982 which pertains to Schedule E of the Master Lease (Kenilworth Avenue Police Station) be amended for the year 1984 as follows:

   (i) Basement - 1,125 sq. ft. @$1.67 per sq. ft. per annum...$1,878.75
   (ii) Garage - 1,239 sq. ft. @$1.39 per sq. ft. per annum...$1,722.21

   (b) That the City Treasurer amend the Region's lease payment structure to reflect the above changes which calculate to an annual reduction of $5,323.10.

3. Approval of the awarding of the following contract:

   TEPERMAN & SONS INC., Toronto, Ontario

   For the demolition of 106-114 Bay Street North and 93-103 Cannon Street West, Hamilton, Ontario, in accordance with specifications issued by the Real Estate Department and Vendor's Quotation for the sum of.....$84,790.00

   NOTE: Lowest of 4 quotations.

4. That Sub-Section (c) of Section 1 of the 2nd Report of the Finance Committee approved by City Council January 31, 1984, awarding an order to ABF Business Forms Ltd., for Stock Tabulating Paper for 1984, be amended to include a 5% increase plus 7% Ontario Retail Sales Tax.

   NOTE: Lowest of 6 tenders.

5. Section 1 of the Ninth Report of the Parks & Recreation Committee adopted by City Council at its meeting on May 17, 1984 dealt with an application to host the 1991 Pan American Games and requested the Finance Committee to recommend the method of financing the expenditure involved, estimated to be $12,000.00.

   In this regard the Committee recommends that the amount of $12,000.00 required for the financing of an application be financed by an approved overdraft in the Financial Miscellaneous Account #0378-4198 and that an equal amount be transferred from the unallocated portion of the Contingency Account to the allocated category of the Contingency Account.

6. (a) That the Regional Municipality of Hamilton-Wentworth be requested to arrange for the issuance of debentures, on behalf of the City of Hamilton, for the owner's share of Local Improvements for curbs, walks, alleyways, roadways, in the amount of $267,000, relating to 1983 closings at the rate of 12-1/2% for a period of 15 years.

   (b) That these Local Improvement debentures, in the amount of $267,000, be purchased by the Corporation of the City of Hamilton and this amount be financed from the Reserve for Debt Charges 0280-19.

7. With the adoption of Section 8 of the 13th Report of the Parks and Recreation Committee, City Council at its meeting on June 28, 1983 approved a capital grant not to exceed $313,000.00 to the Ottawa Street Community Y.W.C.A.

   In this regard the Finance Committee recommends:

   (a) That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval of the proposed Capital Grant - major renovations - Ottawa Street Y.W.C.A., at a total estimated cost of $313,000.00, and for authority to finance this project by the issuance of debentures in the same amount for a period not to exceed 20 years.

   (b) That application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of $313,000.00 for a term not to exceed 20 years for the project.

8. That outstanding business taxes in the amount of $35,653.33 be written-off in accordance with Section 495 of the Municipal Act, R.S.O. 1980 and charged to Account No. 0222, Tax Write-Offs.

   NOTE: Detailed information respecting these write-offs can be obtained by contacting the Secretary, Finance Committee or City Treasurer.

9. That outstanding rents receivable in the amount of $2,403.42 and outstanding accounts receivable in the amount of $3,036.28 be written-off and charged to Account No. 0220, Allowance for Doubtfuls Accounts.

   NOTE: Detailed information respecting these write offs can be obtained by contacting the Secretary, Finance Committee of City Treasurer.

10. That funds be made available to the Parking Authority in the amount of $100,000 for reconstruction of existing parking facilities as previously approved by City Council and that the funds be provided from the Reserve for Off-Street Parking.

11. (a) Approval of the awarding of a contract with respect to the City's employees' hospital, health and dental plans to Blue Cross of Ontario.

    (b) That the effective date of transfer from the present carrier, Canada Life Insurance Co. to Blue Cross of Ontario be August 1, 1984.

    (c) That approval be granted for Blue Cross of Ontario to provide additional stop loss insurance related to the unlimited nature of the extended health care benefit in the event of a change of carriers, at an additional cost of approximately $1,300.00 per year.

12. (a) That the Contingency Account No. 0378-1198 be separated into two parts, "Unallocated" and "Allocated", and that the following criteria be used to determine whether or not a physical transfer of appropriation is to be made to Departments' expenditure accounts.

        (i) Physical transfer to Departmental accounts (from "Unallocated")

            (a) When a new or additional expense has been incurred which will be continuing.

            (b) When an increase to an existing level of service has been initiated and will be continuing.

            (c) When a Department has been directed to provide a service by a Committee or Council and the expense will be continuing.

            (e) Other expenses as considered appropriate by the Standing Committees.

        (ii) Memo transfer only to "Allocated" portion of Contingency (overdraft financing of Departmental requirement)

            (a) For non-recurring expense items.

            (b) For unexpected and unusually large expenses resulting from unknown factors such as have occurred with the Wentworth Street steps project.

    (b) That the City Treasurer be consulted prior to submission by a Department to a Standing Committee for additional funding in order to determine the category under which financing should be provided.

13. Section 4 of the 10th Report of the Parks and Recreation Committee deals with a loan of $100,000 to the Rosedale Tennis Club and requests the Finance Committee to recommend the method of financing this expenditure.

In this regard the Finance Committee recommends that the loan to the Rosedale Tennis Club in the amount of $100,000.00 be financed from the 1984-1988 Capital Budget 5 Mill Capital Levy.

14. Section 1 of the 10th Report of the Parks and Recreation Committee deals with the awarding of a contract for the supply and installation of a creative playstructure at A. M Cunningham School, at an estimated cost of $15,000.00.

    In this regard the Committee recommends that the amount of $10,000.00, required in Recreation Account 0367-0575 (Playstructure - A. M. Cunningham School grounds) to adjust this account from a net basis of $5,000.00 after donations to a gross basis of $15,000.00 required for the total project, be financed by a transfer from Account 0367-1829 - Materials and Supplies - Other (Sir Allan MacNab District Centre) to Account 0367-0575 - Playgrounds - Operating Equipment.

15. Approval of a grant of $200.00 to the Frederick Ashbaugh Redware Archaelogical Project. This expenditure to be charged to Account No. 0374-0198 - Unclassified Grants.

16. That due to the limited funds remaining in the Unclassified Grants Account No. 0374-0198, no further grant requests be entertained for 1984.

17. That Section 11 of the 13th Report of the Finance Committee adopted by City Council on July 26/27, 1984, which deals with the appointment of the Moffat Kinoshita Partnership as prime consultants for the proposed Chedoke Maintenance Depot at a fee of 5.8% of the final cost of construction plus a 1983 per diem rate ranging from $25.00 to $75.00 per hour for additional services, be amended to provide for a 1984 per diem rate ranging from $37.00 to $95.00 per hour for additional services.

    NOTE: Hourly fees will apply to a small part only of the total fee cost. No such fees have yet been incurred, but some are expected before completion of the work, and an allowance has been made in the appropriation which should cover all such costs.

18. Section 1 of the Sixth Report of the Personnel Committee deals with the Quigley Road Fire Station Project and requests the Finance Committee to recommend the method of financing the costs involved.

    In this regard the Committee recommends:

    (a) That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval of the Quigley Road Fire Station at a total estimated cost of $840,000 for the authority to finance this project by the issuance of debentures in the same amount for a period not to exceed 20 years.

(b) That application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the total amount of $840,000.00 for a term not to exceed 20 years for the project.

(c) That an amount of $2,500.00 be allocated from the Reserve for Capital Projects to finance the cost of soil tests needed for the project until the full cost is approved by the Ontario Municipal Board.

19. (a) That the City Treasurer be authorized and directed to engage the services of Engineering and Cost Consultants at a cost not to exceed $10,000.00 to undertake a feasibility study with respect to the proposed addition at the rear of City Hall and to provide for additional space requirements.

(b) That the cost to retain these Consultants be financed from the Reserve for Capital Projects, Account No. 0280-27.

NOTE: With the adoption of Sub-Section (e) of Section 8 of the Ninth Report of the Finance Committee, City Council at its meeting on May 8, 1984, authorized and directed the City Architect to investigate the feasibility of constructing an addition at the rear of City Hall.

The Committee wishes to advise the members of City Council that the Accommodations Subcommittee will, in conjunction with this study, continue to review and examine alternative off site space accommodations as well.

20. With the adoption of Section 8 of the Sixth Report of the Parks and Recreation Committee, City Council at its meeting on April 10, 1984 approved an increased grant to the Hamilton-Wentworth Creative Arts Inc., organizers of the Festival of Friend to meet and to be utilized for costs related to the "User Pay Policy" relative to this organizations use of Gage Park for this year's festival.

City Council at its meeting on April 10, 1984 referred back to the Special Events Advisory Committee Section 7 of the Seventh Report of the Finance Committee which recommended that this expenditure be financed by an appropriate transfer from within the Special Events Account No. 0378-50.

The Special Events Advisory Committee has advised the Finance Committee that in order to continue to meet its 1984 objectives, the additional grant be finanaced from the City's General Contingency and not from the Special Events Advisory Committee's budget appropriation for 1984.

Notwithstanding the foregoing, the Finance Committee again recommends that the expenditure be financed by an appropriate transfer from within the Special Events Account No. 0378-50.

21. (a) That a grant of $2,250.00 be made to the Hamilton Union of the Unemployed to assist in defraying transportation costs associated in connection with the Niagara Peninsula Unemployed Family Picnic to be held at Prudhomes Landing, Vineland, Ontario on Wednesday, August 22, 1984.

(b) That this expenditure be charged to Grants - Receptions and Public Events Account No. 0374-1146.

22. That leave be granted to introduce the following bill:

(a) Bill C-14 To authorize the borrowing of 3 million dollars to finance bank overdrafts as and when they arise from current expenditures.

Respectfully Submitted,

ALDERMAN P. J. PETERSON, CHAIRMAN
FINANCE COMMITTEE

J. J. Schatz, Secretary
1984 June 21

D

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1984 and respectfully recommends:

1. That approval be given to **Zoning Applications 84-22 and 84-23, Gertraut MacLaren and Antonio and Maria Frianco,** owners respectively, for lands located at No.508 and No.544 Limeridge Road East, shown as Blocks "1" and "2" on the attached plan marked as APPENDIX "A" on the following basis:

   (a) That the subject lands be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;

   (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Maps E-27A and E-27B; and

   (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

   Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District for lands located at Nos. 508 and 544 Limeridge Road East, as shown on the attached plan marked APPENDIX "A".

   The effect of the by-law is to permit future commercial development of the subject lands.

2. (a) That approval be given to **Zoning Applications 84-27, Abbotsford Homes Limited, owner (Block 1) and 84-28, Symroy Corporation Limited, owner (Block 2),** requesting a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District, to "R-4" (Small Lot Single-Family Detached) District for lands located in the area east of Upper Sherman Avenue and south of the proposed mountain freeway, as shown on the attached plan marked as APPENDIX "B".

   (i) That the lands shown as Blocks 1 and 2 be rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "R-4" (Small Lot Single-Family Detached) District;

   (ii) That the City Solicitor be directed to prepare a by-law to amend zoning By-law No.6593 and zoning district map E-38B;

   (iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

(b) That the Subdivision Agreement provides for easements to allow for maintenance for "zero lot line" style dwellings.

Explanatory Note - The by-law provides for a change in zoning for lands located in the area east of Upper Sherman Avenue and south of the proposed mountain freeway, as shown on the attached Plan B marked APPENDIX "B" from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "R-4" (Small Lot Single-Family Detached) District. The effect of the by-law is to permit "small lot" single-family dwellings instead of semi-detached dwellings.

3. That approval be given to **Zoning Application ZA-84-24, D. Bodnar**, owner, for a change in zoning from "L-mr-2" (Planned Development) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit professional offices for property located at No.154 Jackson Street East as shown on the attached plan marked as APPENDIX "C" on the following basis:

   (a) That the subject property be rezoned from "L-mr-2" (Planned Development) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District.

   (b) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District applicable to the subject lands be modified to provide for the following variances and restrictions:

      (i) That notwithstanding Table 1 of Section 18 (A)(1) no parking shall be required for a doctor's office;

      (ii) That the amending by-law be added to Section 19B of Zoning By-law No.6593 as Schedule S-874, and that the subject land on Zoning District Map E-5 be notated S-874;

      (iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-5;

      (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "L-mr-2" (Planned Development) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District. The effect of the by-law is to permit the following commercial uses which are permitted in the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District in the building existing at the time of the passing of the by-law: professional offices, opticians' offices, optometrists' establishments, a photographer's or artist's studio, a barber shop or hairdressing establishment, a beauty parlour, or massage parlour, a tailor's shop, a dressmaker's establishment, a millinery shop, and a wearing apparel workshop.

4. That approval be given to **Zoning Application 84-30, Donald Norman Morrison**, owner, to establish a change in zoning from "E-3" (High Density Multiple Dwellings) District, as modified to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District, for property located at No.27 Bold Street, as shown on the attached plan marked as APPENDIX "D" on the following basis:

(a) That the subject lands be rezoned from "E-3" (High Density Multiple Dwellings) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District;

(b) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of Zoning By-law No.6593 applicable to the subject lands be modified to include the following variance and restriction:

(i) That notwithstanding the provisions of Section 11A (1) of Zoning By-law No.6593, only the basement and ground floor of the building existing at the date of passing of this by-law may be converted and used for any commercial uses permitted in the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District;

(c) That the amending by-law be added to Section 19(b) of Zoning By-law No.6593 as Schedule S-875, and that the subject land on Zoning District Map W-5 be notated S-875;

(d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map W-5;

(e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law provides for a change in zoning from "E-3" (High Density Multiple Dwellings) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District, for property located at No.27 Bold Street as shown on the attached Zoning District Map W-5.

In addition, the by-law has been modified to restrict the location of commercial uses permitted under the "E-1" District to the basement and ground floor within the existing building.

5. (a) That **Zoning Application 84-13, Dover Construction and Consultants Inc.**, owner, to provide for a change in zoning from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Centre, etc.) District, for lands located at the south-east corner of Upper Sherman Avenue and Limeridge Road East, shown as Block "1" on the attached plan marked as APPENDIX "E" be denied for the following reasons:

(i) There is an adequate supply of commercial land presently available in this area to serve the needs of the residents.

(ii) Approval of the application would undermine the viability of existing commercially designated sites in this area, and set an undesirable precedent for future similar applications.

(b) That approval be given to an **Amended Zoning Application 84-13, Dover Construction and Consultants Inc.**, owner, to provide for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, for lands located at the south-east corner of Upper Sherman Avenue and Limeridge Road East, as shown on the attached plan marked as APPENDIX "E" on the following basis:

E

(i) That the subject lands be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;

(ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Maps E-38A and E-38B;

(iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

(c) That the Lawfield Neighbourhood Plan be amended accordingly.

(d) That By-law No.81-134 be repealed.

(e) i) That the subject lands and the adjoining lands to the east recently rezoned to an "R-4" (Small Lot Single-Family Detached) District be exempted from the berm easement requirement, as set out under Section 2 of the "RESIDENTIAL DEVELOPMENT STANDARDS to Control the Effects of Freeway Noise" as adopted by City Council on October 9, 1973 and further amended.

ii) That the subject lands and the adjoining lands to the east recently rezoned to an "R-4" (Small Lot Single-Family Detached) District be exempted from the 75-foot setback requirement for residential structures as set out under Section 3 of the "RESIDENTIAL DEVELOPMENT STANDARDS to Control the Effects of Freeway Noise" as adopted by City Council on October 9, 1973 and further amended.

(f) That approval of the subject By-law be withheld until such a time as the following conditions have been satisfied:

i) That the applicant convey to the City of Hamilton sufficient lands for road widening purposes so as to establish the property line for the south side of Limeridge Road 13.11 m from the centre line of the original road allowance.

ii) That the applicant convey to the Region of Hamilton-Wentworth a 12 m x 12 m daylight triangle from the widened limits of Upper Sherman Avenue and Limeridge Road East.

Explanatory Note - The By-law provides for a change in zoning for property located at the south-east corner of Upper Sherman Avenue and Limeridge Road East, as shown on Zoning District Maps E-38A and E-38B from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District to permit "small lot" single-family residential development. Furthermore, the By-law repeals a previous By-law (By-law No.81-134) which rezoned the lands from "AA" (Agricultural) District to a "DE-2" (Multiple Dwellings) District, to permit a maximum density of 26 townhouse dwellings or 54 apartment units.

6. (a) That approval be given to **Zoning Application 84-33, Z. Brabric,** prospective owner, to establish a change and modification in zoning for property at No.52 Woodbine Crescent and lands on the west side of Dundurn Street North

between Woodbine Crescent and Jones Street, as shown on the attached plan marked as APPENDIX "F" on the following basis:

(i) That the lands described as Block 1 be rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District;

(ii) That the "H" (Community Shopping and Commercial, etc.) District provisions of By-law No.6593 applicable to Blocks 1, 2 and 3 be modified to include the following variances and restrictions:

(a) That Section 7 of By-law No.76-233 shall not apply,

(b) That notwithstanding Section 14(1) of Zoning By-law No.6593, a hotel, motel, motor hotel, or motorcourt shall be a permitted use, on Blocks 1 and 2 only,

(c) That Section 18A(36) of Zoning By-law No.6593 shall not apply,

(d) That clause (a) of Section 18A(12) and clause (a) of Section 18A(12) of By-law No.6593 shall not apply to the westerly boundary of the adjoining residential district,

(e) That clause 4(f) of Table 1 of Section 18A(1) of By-law No.6593 shall not apply,

(f) That notwithstanding Section 14(1), no building shall be located in the triangular area at the corner of Woodbine Crescent and Dundurn Street North shown as Block 3;

(iii) That the amending by-law be added to Section 19B of Zoning By-law No.6593 as Schedule S-863, and that the subject land on Zoning District Map W-21 be notated S-863;

(iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map W-21;

(v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

(b) That the Strathcona Neighbourhood Plan be amended accordingly by deleting the proposed cul-de-sac on Woodbine Crescent as shown in APPENDIX "G".

Explanatory Note - The purpose of the by-law is to rezone the subject properties located on the west side of Dundurn Street North, between Jones Street and Woodbine Crescent, to permit a hotel, motel, motor hotel including a restaurant, on the following basis:

Block 1: From "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District modified.

Blocks 2 and 3: To modify the existing "H" (Community Shopping and Commercial, etc.) District regulations.

The by-law provides for the following modifications as special requirements:

(a) That Section 7 of By-law No.76-233 which establishes design regulations (e.g. canopy, setbacks, height, etc.) for properties along York Boulevard shall not apply;

(b) That Section 18A(36) of Zoning By-law No.6593 respecting the following regulations applicable to a restaurant use in the "H" (Community Shopping and Commercial, etc.) District shall not apply:

(i) parking shall be provided at the rate of one space for every six persons lawfully accommodated in a restaurant,

(ii) the distance between a residential district and the parking and manoeuvring area used in conjunction with a restaurant shall not be less than 12.0 metres.

(iii) a 1.5 metre wide landscaped area shall be provided along every side lot line and fromt lot line that abuts a highway and any public right-of-way,

(iv) no points of ingress or egress to or from the lot on which a restaurant is located shall be closer than 30.0 metres to a residential district;

(c) That clause (a) of Section 18A(11) of Zoning By-law No.6593 which provides for a 1.5 metre setback for a parking area from an adjoining residential district shall not apply;

(d) That clause (a) of Section 18A(12) of Zoning By-law No.6593, which provides for an "area landscaped with a planting strip" between the boundary of the parking area and the adjoining residential district, shall not apply;

(e) That Clause 4(f) of Table 1 of Section 18A(1) of By-law No.6593, which provides for one parking space per six persons who may be lawfully accommodated in a restaurant shall not apply.

7. That approval be given to **Zoning Application 84-25, B. Bomardieri,** prospective owner, to establish modifications to the "H" (Community Shopping and Commercial, etc.) District provisions applicable to the property at No.448 Barton Street East as shown on the attached plan marked as APPENDIX "H" on the following basis:

(a) That approval be given to Official Plan Amendment No.21, to establish a site specific amendment for the subject lands at No.448 Barton Street East, to permit the manufacturing of clothing and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs and Housing;

(b) That notwithstanding Section 14(1) of Zoning By-law No.6593, the manufacturing of clothing shall be a permitted use;

(c) That the amending by-law be added to Section 19B of Zoning By-law No.6593 as Schedule S-873 and that the subject land on Zoning District Map E-12 be notated S-873;

(d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-12;

(e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of the Official Plan Amendment No.21; and

(f) That the Landsdale Neighbourhood Plan be amended accordingly.

Explanatory Note - The purpose of the by-law is to modify the existing "H" (Community Shopping and Commercial etc.) District on property located at No.448 Barton Street East, to permit the manufacturing of clothing.

8. (a) That proposed Amendment No.9 to the Hamilton-Wentworth Official Plan is in keeping with the City's planning intentions; and

(b) The City Clerk be directed to so advise the Hamilton-Wentworth Council.

Explanatory Note - The Hamilton-Wentworth Council has requested comments from the City on proposed Amendment No.9 to the Hamilton-Wentworth Official Plan. The proposed Amendment redesignates lands on the west side of Grays Road, adjacent to Lake Ontario in the City of Hamilton, from Lakeshore Policy Area "A" to Lakeshore Policy Area "B" to permit low density residential development.

9. (a) That the proposed Amendment No.10 to the Hamilton-Wentworth Official Plan has no effect on the City of Hamilton; and

(b) The City Clerk be directed to so advise the Hamilton-Wentworth Planning and Development Committee.

Explanatory Note - The Hamilton-Wentworth Planning and Development Committee has requested comments from the City on proposed Amendment No.10 to the Hamilton-Wentworth Official Plan. The proposed Amendment reduces the minimum lot size requirements for a rural estate development near the eastern boundary of the Region in the City of Stoney Creek.

10. That the City Clerk be authorized to execute a Notice to Lakeview Development Ltd., pursuant to section 2.05 of the Development Agreement with Lakeview, notifying them of the appointment of Alderman W. McCulloch as the second member of the Review Authority for the Hamilton Sheraton Hotel project.

11. (a) At its meeting held May 29, 1984, City Council referred back Section 11 of the Tenth Report of the Planning and Development Committee, which read as follows:

"That the application of Bellray Holding Company, in care of Gulliver Motors, for a demolition permit for the demolition of the residential building located at 118 Sanford Avenue North, be denied"

Following further review, the Planning and Development Committee, at its meeting held May 30, 1984, reaffirmed its original recommendation, that the application be denied.

It is therefore recommended that the above recommendation for denial be approved.

12. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

42 Allan Avenue
15 Arden Avenue
512 Beach Boulevard
342 Jackson Street West

13. That the City Solicitor be authorized to prepare a by-law to rescind By-law No.83-187, adopted by City Council 1983 June 29, which was for the compliance of an Order dated 1983 March 7, for the demolition of the building and removal of the demolition debris and level the lands at 12 Whitfield Avenue pursuant to Subsection 21 of Section 43 of The Planning Act, R.S.O. 1980 Chapter 379, now Subsection 20 Section 31 of The Planning Act 1983, as the Order is now in compliance.

14. **Downtown Action Plan - Study Area Boundaries**

That Du Toit Associates Limited be requested to review the Downtown Action Plan, relative to the northern point of termination on James Street, and advise as to whether it is logical to:

(i) extend the boundary to Cannon Street; or

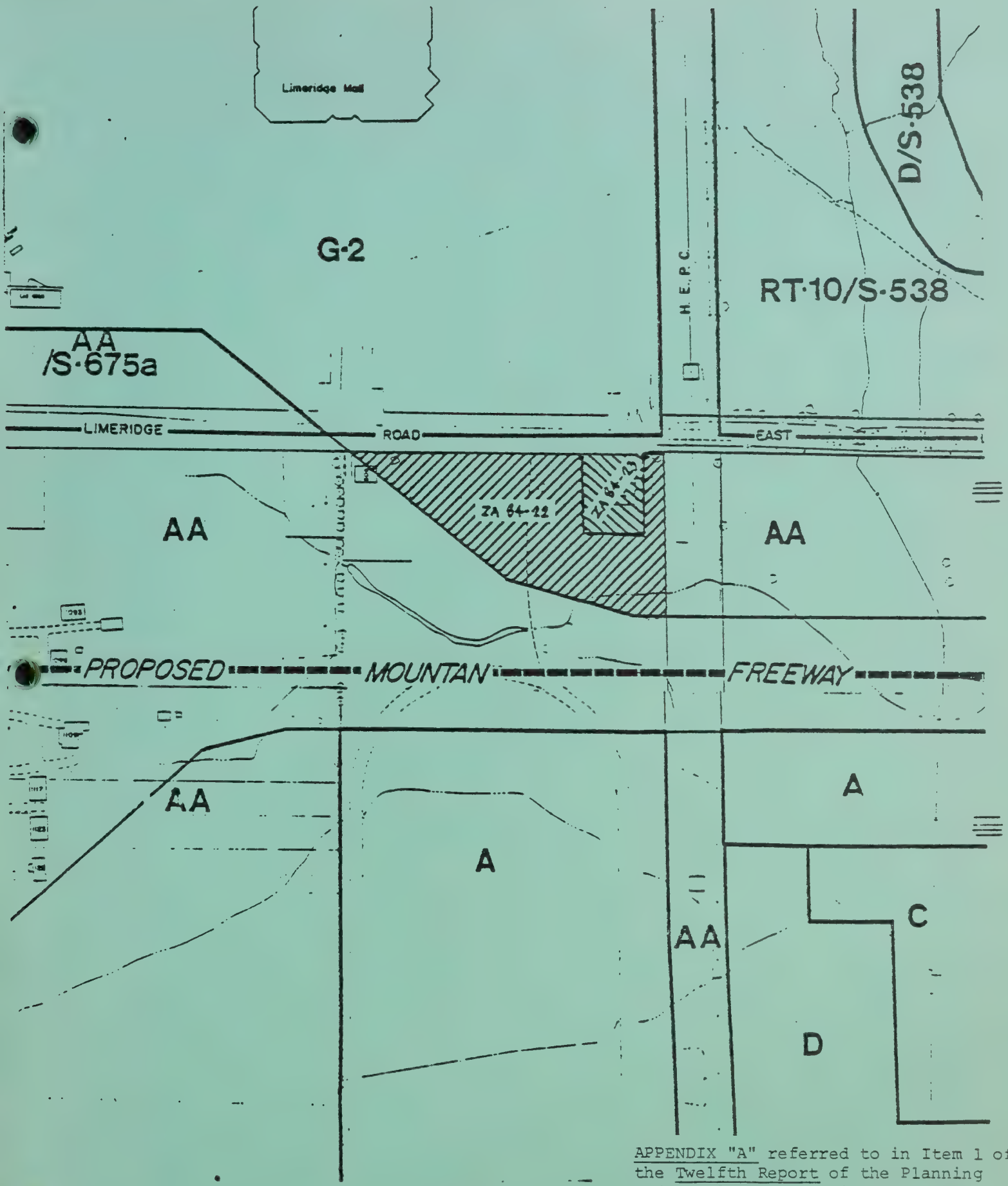
(ii) contract the boundary to Wilson Street.

Such review to consider the cost implications beyond that for which provision has been made in the Capital Budget, and the potential for requests for further extensions on other streets.

Respectfully submitted,

Alderman W. M. McCulloch, Chairman
Planning and Development Committee

1984 May 30
JDT:bg



APPENDIX "A" referred to in Item 1 of the Twelfth Report of the Planning and Development Committee for 1984

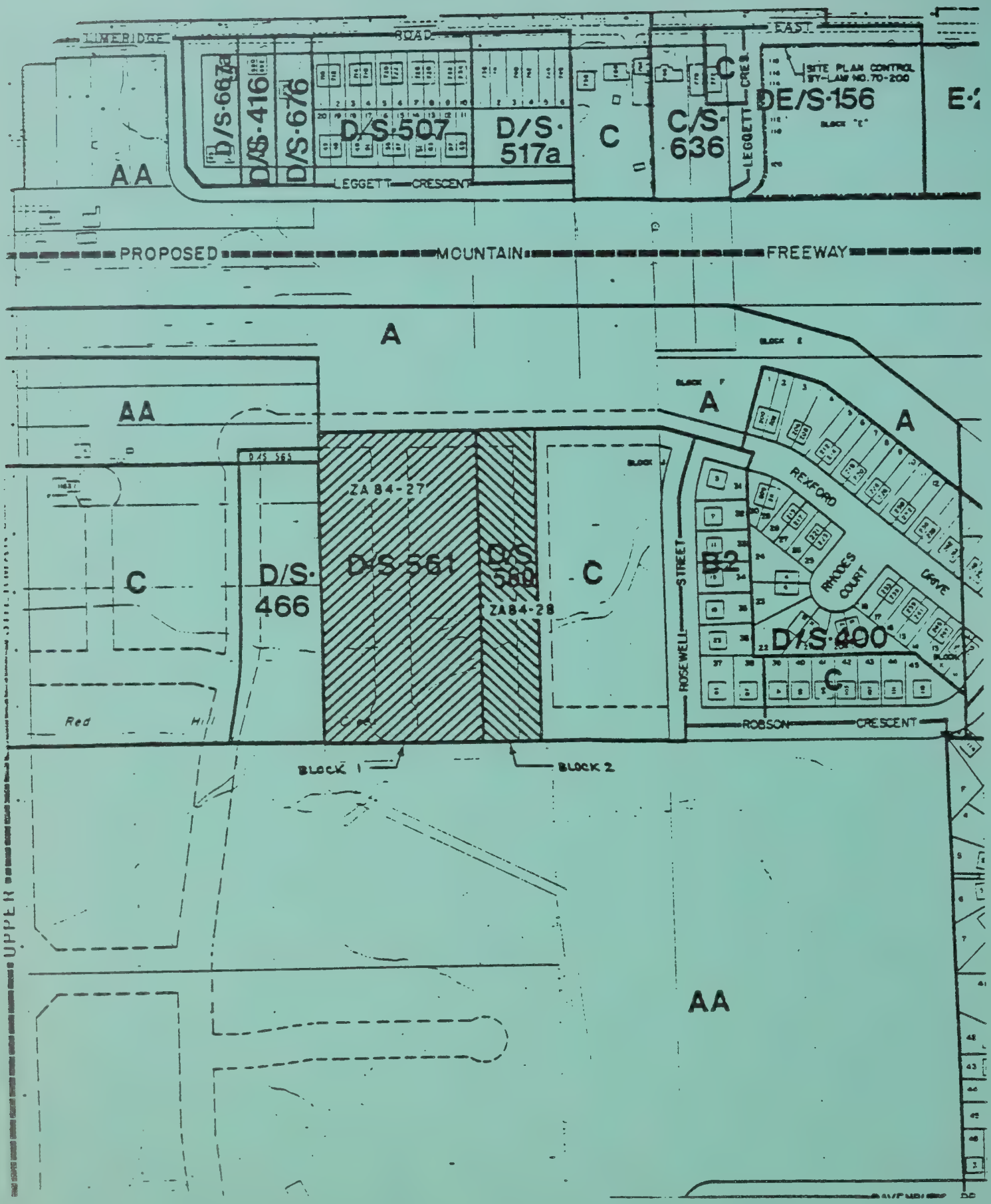
LEGEND:

Block "1" SITE OF APPLICATION ZA84-22

Block "2" SITE OF APPLICATION ZA84-23.

APPENDIX "A"

E

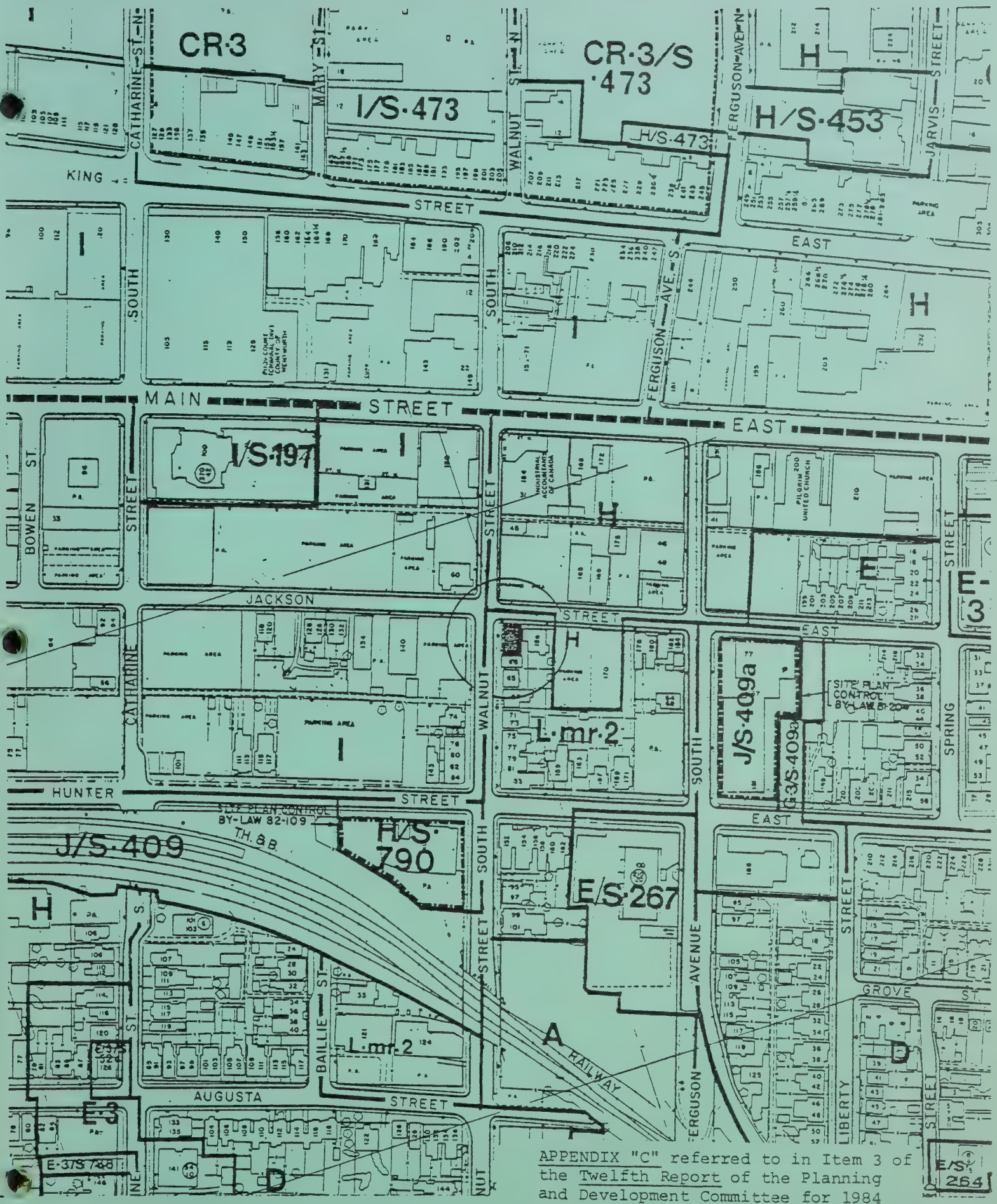


LEGEND:

SITE OF APPLICATION ZA84-27

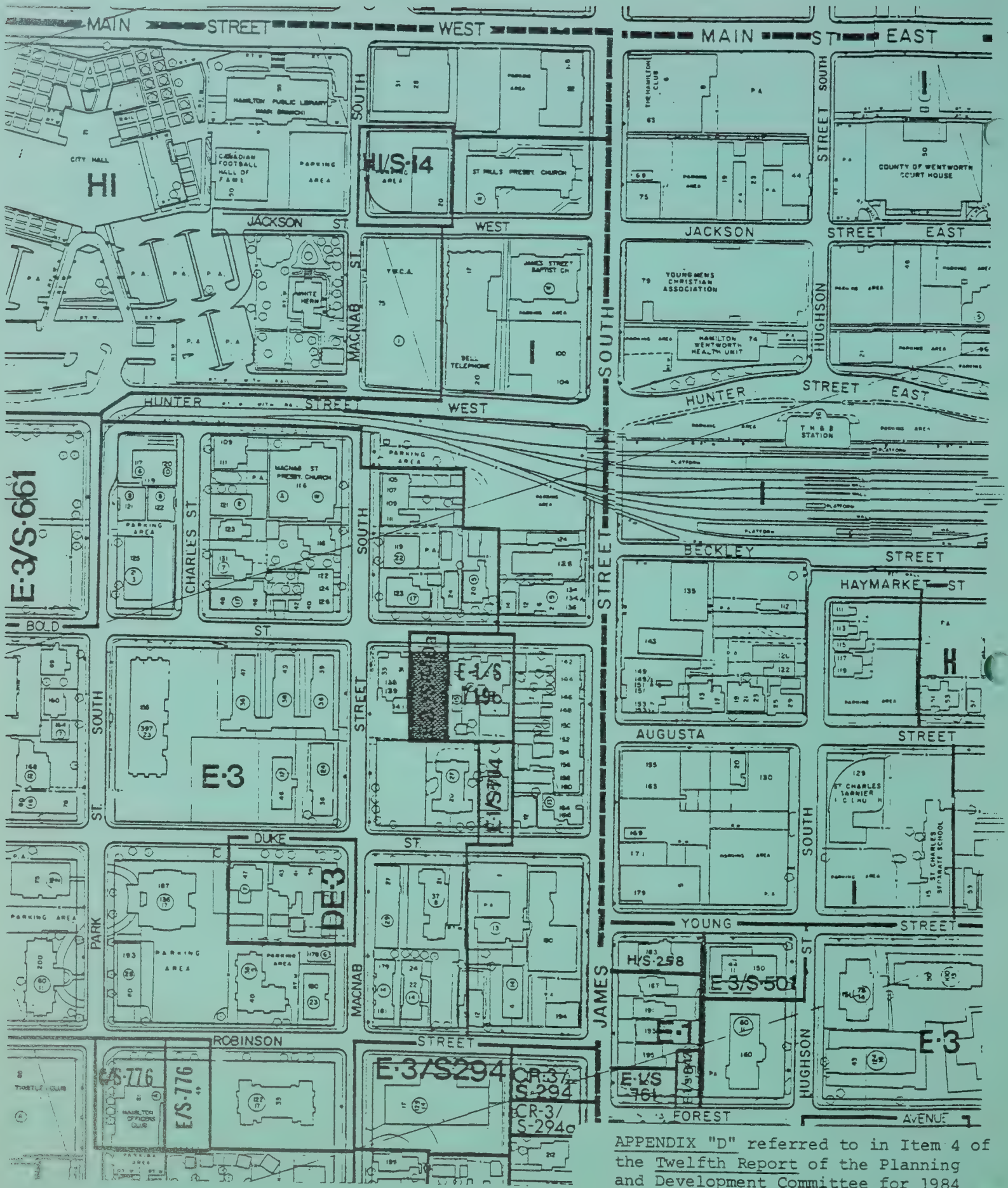
SITE OF APPLICATION ZA84-28

APPENDIX "B" referred to in Item 2 of the Twelfth Report of the Planning and Development Committee for 1984



APPENDIX "C" referred to in Item 3 of the Twelfth Report of the Planning and Development Committee for 1984

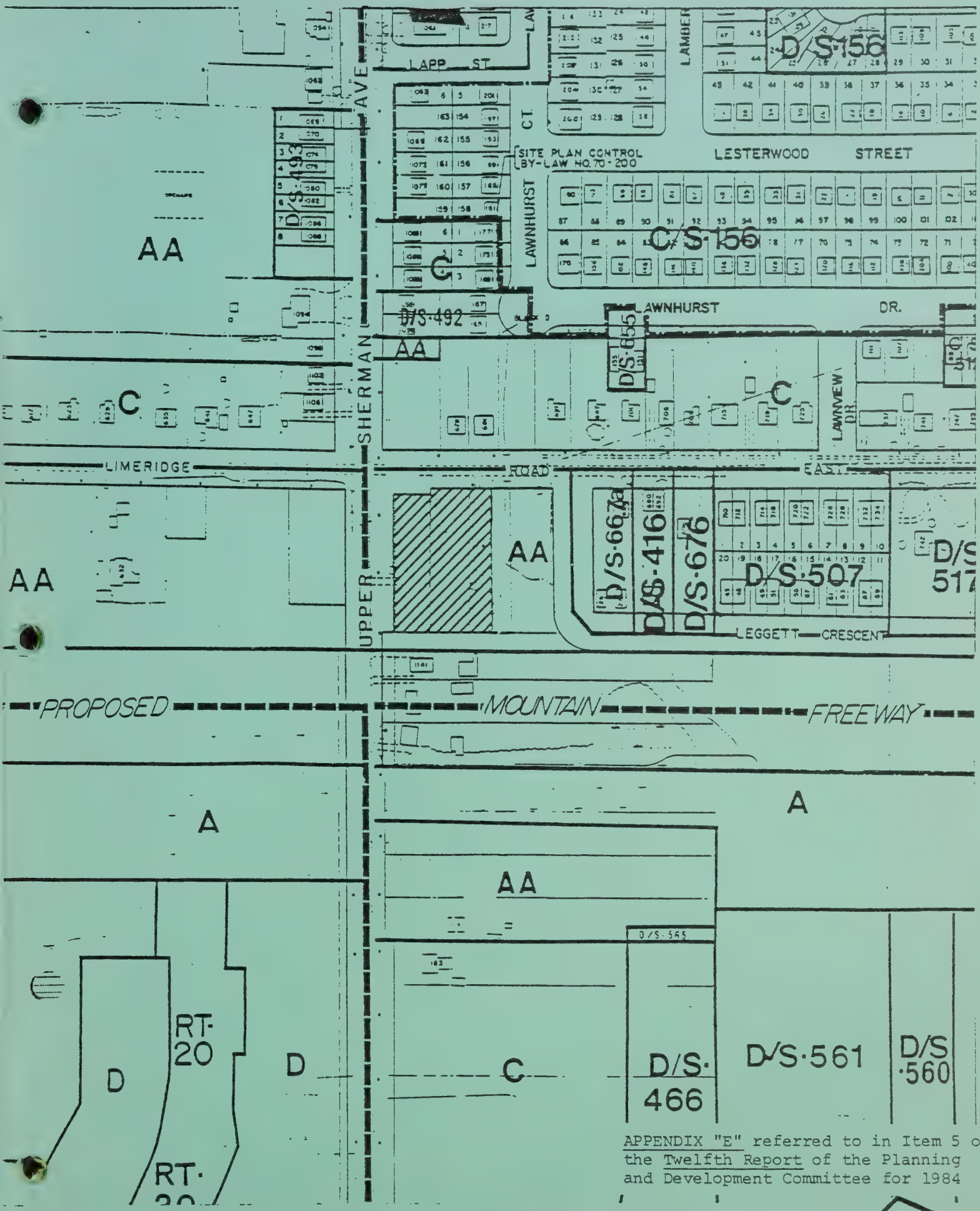
SITE OF THE APPLICATION



APPENDIX "D" referred to in Item 4 of the Twelfth Report of the Planning and Development Committee for 1984

SITE OF THE APPLICATION

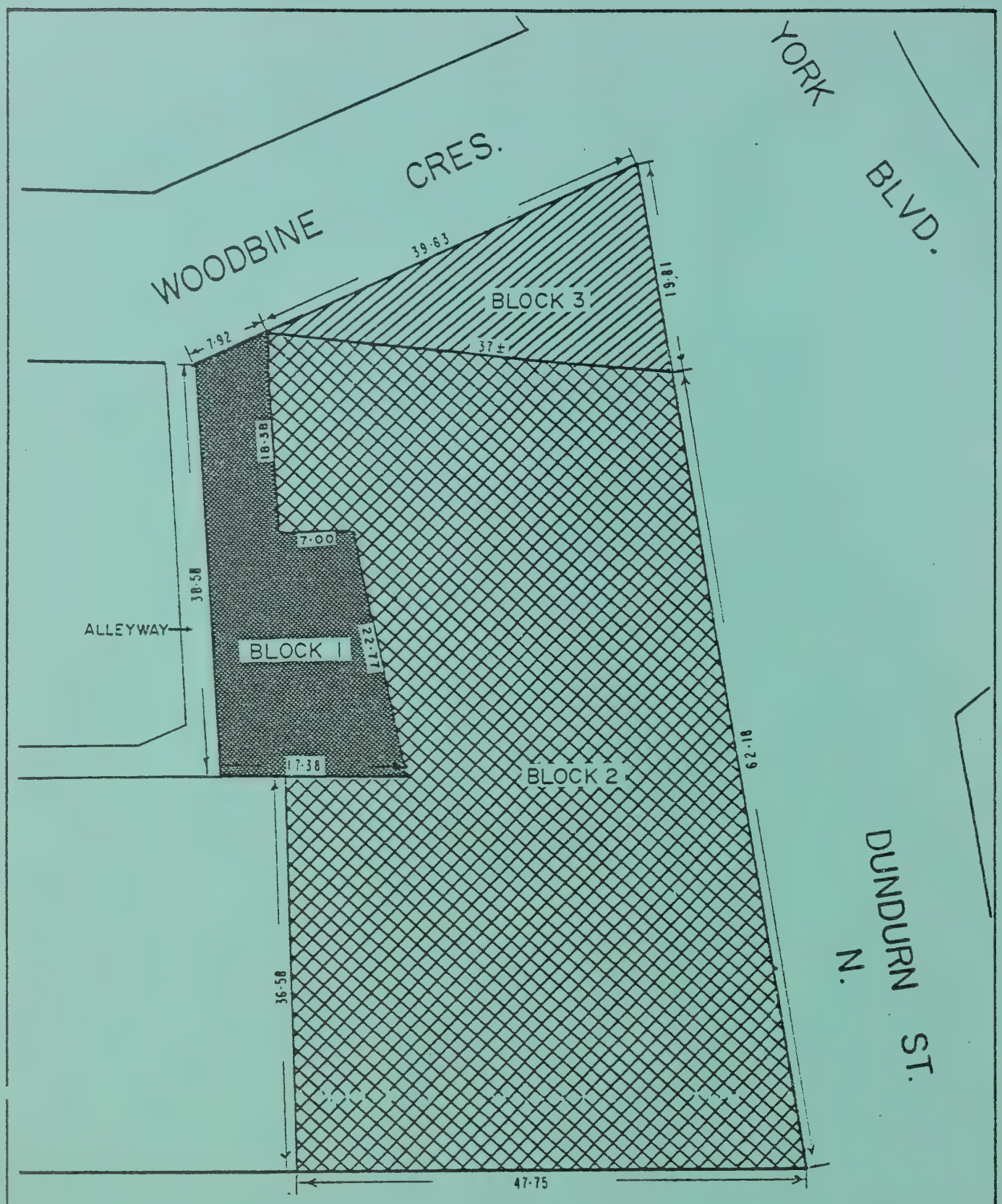
ZA84-30



APPENDIX "E" referred to in Item 5 of the Twelfth Report of the Planning and Development Committee for 1984

SITE OF THE APPLICATION

E

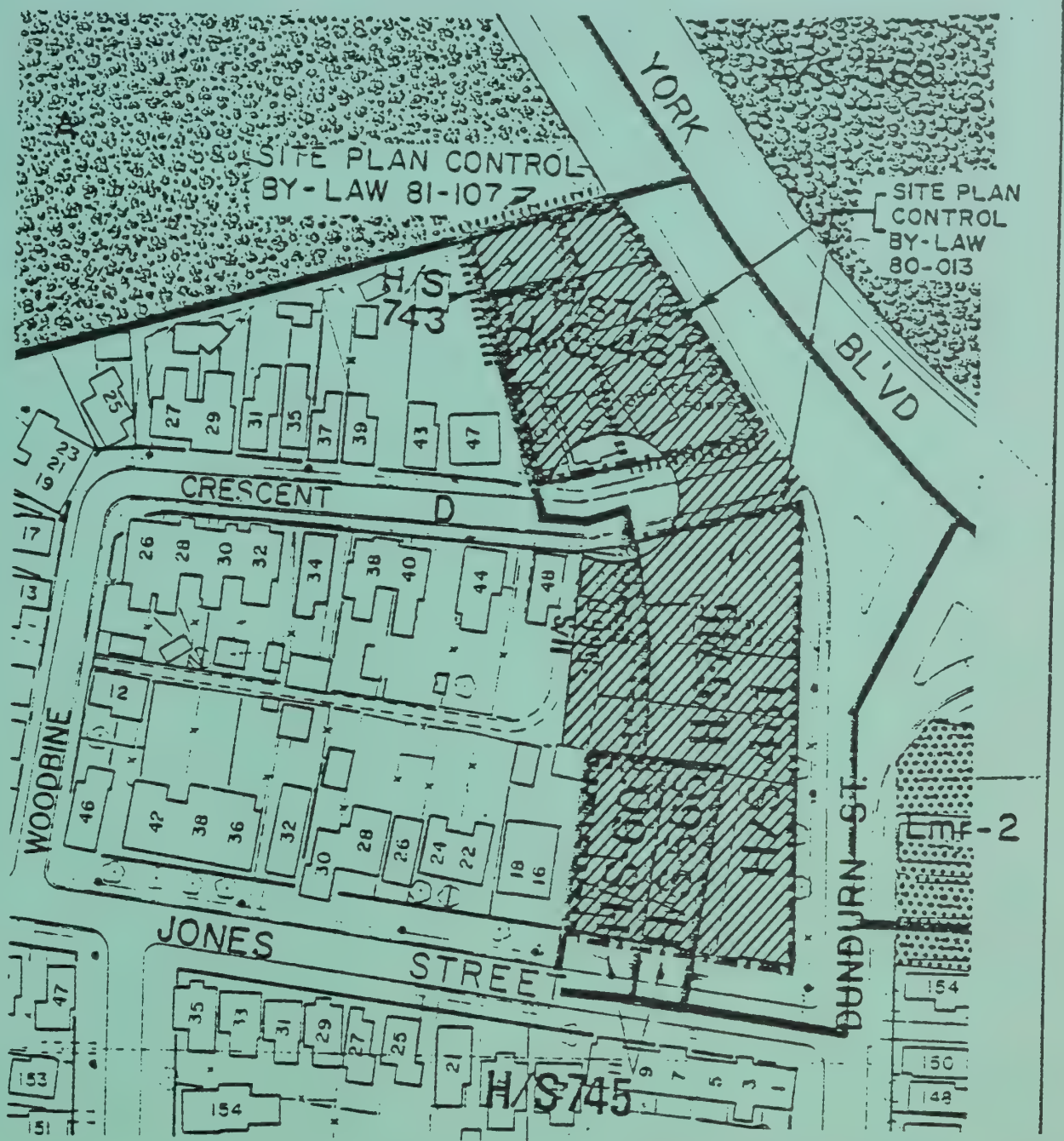


APPENDIX "F" referred to in Item 6 of the Twelfth Report of the Planning and Development Committee for 1984

ALL DIMENSIONS ARE IN METRES

BLOCK 1 BLOCK 2 BLOCK 3 SITE OF THE APPLICATION

ZA 84-33



APPENDIX "G" referred to in Item 6 of the Twelfth Report of the Planning and Development Committee for 1984

CITY OF HAMILTON

STRATHCONA

APPROVED PLAN

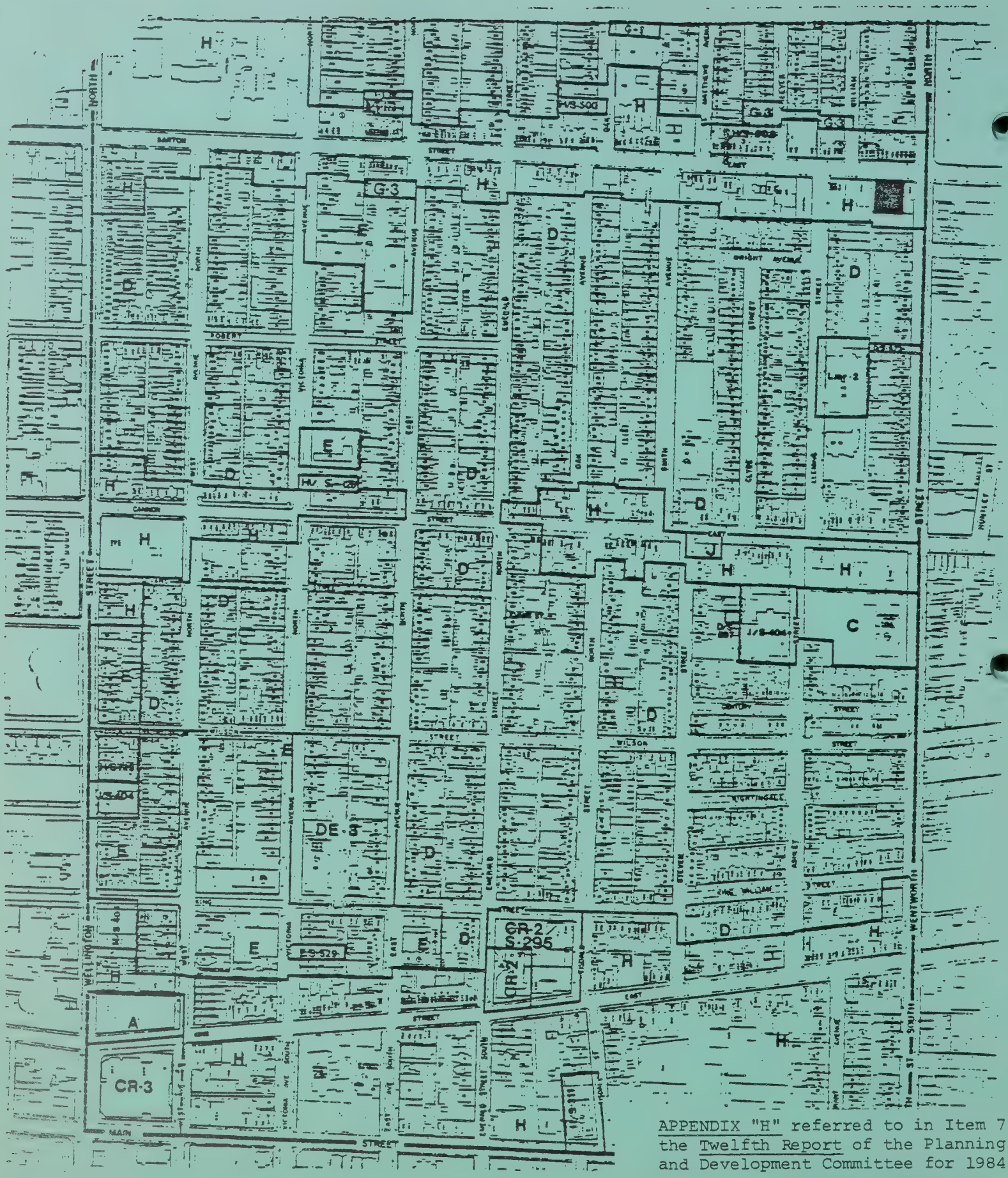
(Part of)

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

- RESIDENTIAL
- single & double
- attached housing
- medium density apts.
- OPEN SPACE
- COMMERCIAL
- PARK & RECREATIONAL

North	Scale	Reference File No.
	1" = 100'	ZA-84-33
	Date	Drawing No.
	May 1984	84-H-65



APPENDIX "H" referred to in Item 7 of the Twelfth Report of the Planning and Development Committee for 1984

SITE OF THE APPLICATION

2A84-25

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1984 and respectfully recommends:

1. That approval be given to amend **Zoning Application ZA-83-53 by F. Chevrier, owner**, regarding lands located at 81 Dartnall Road, as shown on the plan attached marked as APPENDIX "A" to provide for an additional clause to Item 4 of the 5th Report of the Planning and Development Committee, adopted by City Council at its meeting held on Tuesday, March 27, 1984.

   The additional clause inserted as subsection IV would read as follows:

   IV. that Section 18A(12)(c) of Zoning By-law No.6593 shall not apply:

   Explanatory Note - The proposed modification to the zoning regulations will delete a required 1.2 to 2.0 m high closed fence along the boundary line adjacent to a residential "A" District.

2. That approval be given to **Zoning Application 84-04, Dundurn Construction Company Limited, owner**, to establish a change in zoning from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District and "C" (Urban Protected Residential, etc.) District for property located in the area north of Queenston Road and east of Lake Avenue North, as shown on the attached plan marked as APPENDIX "B" on the following basis:

   (a) That the lands described as Block 1 (ravine lands) be rezoned from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District;

   (b) That the lands described as Block 2 be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

   (c) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No.6593 applicable to the lands described as Block 2 be modified to include the following variance as a special requirement:

      (i) that notwithstanding the provisions of Sections 9(3)(ii) and (iii) of Zoning By-law No.6593, no building or structure, except a fence, shall be located less than 7.6 metres from the boundary of the lands described as Block 1, and from the rear lot lines of the ravine abutting City-owned "AA" (Agricultural) District zoned lands, more particularly described as Lots 50 to 71 and 80 to 84 on the attached plan marked as APPENDIX "B".

E

The exact limits of the ravine lands to be rezoned to an "A" (Conservation, Open Space, Park and Recreation) District (Block 1), more particularly described as Lots 76 to 79 on the attached plan marked as APPENDIX "B", should be determined by a survey line established in the field to the satisfaction of the Hamilton Region Conservation Authority prior to finalizing the by-law;

(d) That the amending by-law be added to Section 19B of Zoning By-law No.6593 as Schedule S-877, and that the subject lands shown as Block 2 on Zoning District Maps E-124 and E-125 be notated S-877;

(e) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Maps E-124 and E-125;

(f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

(g) That the Riverdale East Neighbourhood Plan be amended accordingly.

Explanatory Note - The by-law provides for changes in zoning for the lands shown on the attached plan marked as APPENDIX "B" on the following basis:

Block 1 - from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District for open space pruposes;

Block 2 - from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to permit single-family residential development.

In addition, the by-law provides for a modification to the "C" (Urban Protected Residential, etc.) District to prohibit buildings or structures, except for fences, to be located closer than 7.6 metres from the boundasy of the "A" (Conservation, Open Space, Park and Recreation) District lands shown as Block 1, and from the rear lot lines of the ravine abutting City-owned "AA" (Agricultural) District zoned lands, more particularly described as Lots 50 to 71 and 80 to 84 on the attached plan marked as APPENDIX "B".

3. That approval be given to **Zoning Application 84-34, Eric White, Ken White and Aveline White,** owners, to establish a change in zoning from "DE" (Low Density Multiple Dwellings) District to "HH" (Restricted Community Shopping and Commercial) District and "G-3" (Public Parking Lots) District, for property located at No.627 to No.633 Queenston Road, as shown on the attached plan marked as APPENDIX "C" on the following basis:

(a) That the lands shown as Block 1 on the attached plan marked as APPENDIX "C" be rezoned from "DE" (Low Density Multiple Dwellings) District to "HH" (Restricted Community Shopping and Commercial) District;

(b) That the lands shown as Block 2 on the attached plan marked as APPENDIX "C" be rezoned from "DE" (Low Density Multiple Dwellings) District to "G-3" (Public Parking Lots) District;

(c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-95;

(d) That the Kentley Neighbourhood Plan be amended accordingly;

(e) That the proposed change is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The by-law provides for changes in zoning for the lands shown on the attached plan marked as APPENDIX "C" on the following basis:

Block 1 - from "DE" (Low Density Multiple Dwellings) District to "HH" (Restricted Community Shopping and Commercial) District to permit commercial development.

Block 2 - from "DE" (Low Density Multiple Dwellings) District to "G-3" (Public Parking Lots) District to permit a parking lot to be used in conjunction with commercial development on Block 1.

4. (a) That approval be given to **Zoning Application 84-35, No.527487 Ontario Incorporated**, owner, to establish a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District and "A" (Conservation, Open Space, Park and Recreation) District for property located at No.1768 Main Street West, as shown on the attached plan marked as APPENDIX "D" on the following basis:

(i) That the lands described as Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District;

(ii) That the lands described as Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District;

(iii) That the "RT-30" (Street-Townhouse) District requirements applicable to the lands described as Block "1" be modified to include the following variances as special requirements:

1. That notwithstanding the provisions of Section 10F(4)(a), a minimum front yard depth of 12.0 m shall be provided;

2. That notwithstanding the provisions of Sections 10F(4)(b), 10F(4)(c), and 10F(4)(d) of Zoning By-law No.6593, no building or structure, except for a fence, shall be located less than 7.6 m from the boundary of the lands described as Block "2", and no parking area shall be located less than 1.5 m from said boundary;

(iv) That the number of dwelling units shall be a maximum of six;

(v) That the amending by-law be added to Section 19B of Zoning By-law No.6593 as Schedule S-878, and that the subject lands on Zoning District Maps W50 and W51 be notated S-878;

(vi) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Maps W50 and W51;

(vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

(viii) That the Ainslie Wood West Neighbourhood Plan be amended accordingly;

(b) That approval of the subject zoning by-law be withheld until:

The limits of the land being rezoned to an "A" (Conservation, Open Space, Park and Recreation) District, shown as Block "2" on the attached APPENDIX "D" have been determined by a survey line established in the field to the satisfaction of the Hamilton Region Conservation Authority.

Explanatory Note - The by-law provides for changes in zoning for the lands shown on the attached plan marked as APPENDIX "D" on the following basis:

- Block "1" - from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District to permit street-townhouse development having a maximum of six units.

- Block "2" - from "C" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District for open space purposes.

In addition, the by-law provides for modifications to the "RT-30" (Street-Townhouse) District regulations applicable to Block "1" to:

- prohibit buildings and structures, except for fences, to be located closer than 7.6 m to the boundary of the "A" (Conservation, Open Space, Park and Recreation) District lands shown as Block "2";

- prohibit the location of a parking area closer than 1.5 m to the boundary of the "A" (Conservation, Open Space, Park and Recreation) District lands shown as Block "2";

- permit the establishment of mutual driveway accesses, parking, and driveway; and

- require the provision of a minimum front yard depth of 12.0 m instead of 6.0 m to accommodate the mutual driveway.

5. (a) That approval be given to **Zoning Application 84-31, 307623 Ontario Limited,** owner, to establish a change in zoning and modifications to the zoning regulations applicable to property located at No.44 Leeming Street, as shown on the attached plan marked as APPENDIX "E" on the following basis:

(i) That the subject lands be rezoned from "L-mr-2" (Planned Development - Multiple Residential) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District;

(ii) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions applicable to the subject lands be modified to include the following variance as a special requirement:

1. That notwithstanding the provisions of Section 10.(1) of Zoning By-law No.6593, only the following uses shall be permitted within the existing building located on the subject lands at the date of passing of this by-law:

(a) the manufacturing of grinding wheels,

(b) a silk-screen printing business,

(c) an electrical contracting business,

(d) a warehouse and office use,

(e) uses accessory to the foregoing permitted uses;

(iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-12;

(iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

(v) That the Landsdale Neighbourhood Plan be amended accordingly.

(b) That By-law No.79-275 establishing site plan control areas be amended by adding the subject lands to Schedule "A";

(c) That the amending By-law be added to Section 19B of Zoning By-law No.6593 as Schedule S-672a and that the subject lands on Zoning District Map E-12 be notated S-672a;

(d) That approval of the subject Zoning By-law be withheld until such time as the following conditions have been satisfied:

1. That the applicant completes outstanding works as set out under the provisions of By-law 79-273 respecting fencing;

2. That the applicant submit a site plan for the approval of the Planning and Development Committee showing the parking areas, driveways, loading areas, landscaped planting strips and visual barrier, etc., and sign an undertaking with the City agreeing to complete required works.

Explanatory Note - The By-law provides for a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, for the lands shown on the attached plan marked APPENDIX "E".

In addition, the By-law provides for a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions to permit only the following established uses within the existing building located on the subject lands at the date of passing of the By-law:

(a) the manufacturing of grinding wheels;

(b) a silk-screen printing business;

(c) an electrical contracting business;

(d) a warehouse and office use; and

(e) uses accessory to the foregoing permitted uses.

6. That **Zoning Application ZA-84-01, J. Butera and R. DiGregorio,** owners, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District to "RT-10" (Townhouse) District to permit the development of the lands for townhouses be denied for the following reasons:

(a) The proposal is considered premature in that municipal storm and sanitary sewers are not available to service the proposed land use, and as such is contrary to the City Official Plan;

(b) Approval of the application would require extensive changes to the approved roadway configuration and land use designations of the approved Eleanor Neighbourhood Plan, thereby necessitating a Neighbourhood study;

(c) Approval of the application may prejudice appropriate future development in the area.

7. That **Zoning Application 84-36 by V. DiPietro,** owner, requesting a change in zoning from "AA" (Agricultural) District to an appropriate commercial district to permit a butcher shop at No.1258 Upper Wentworth Street, be denied for the following reasons:

(a) The proposal does not comply with the Official Plan.

(b) The proposal does not conform with the approved Crerar Neighbourhood; furthermore, the proposed location for a commercial use would:

(i) cause conflict and be incompatible with the proposed "single and double" residential development to the north, south and east.

(c) The approval of the application would establish an undesirable precedent and set the stage for future similar applications.

(d) Lands have been designated in the approved Crerar Neighbourhood Plan for future commercial development in this area, approximately 137 m (450') to the north of the subject proposal which remain undeveloped.

8. That **Zoning Application 84-37 by Gulliver Motors Ltd.**, owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District to permit an automobile display lot for property located at No.128 Sanford Avenue North, be denied for the following reasons:

   (i) The proposed "H" (Community Shopping and Commercial, etc.) District provides for a variety of commercial uses which would be an intrusion into a stable residential area of single-family dwellings;

   (ii) The proposal does not conform with the approved Gibson Neighbourhood Plan;

   (iii) The approval of the application would establish an undesirable precedent and set the stage for further similar applications.

9. (1) (a) That approval be given to **Application SA-84-04, Benemar Construction Inc.**, owner, to establish a draft plan of subdivision located on the east side of Upper Wentworth Street, north of Stone Church Road, subject to the following conditions:

   1. That this approval apply to the plan prepared by Sidney W. Woods Inc., dated February 1, 1984 and bearing drawing C-4145;

   2. That the road allowance be dedicated as public highway on the final plan;

   3. That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth;

   4. That the proposed subdivision conform with the Zoning By-law approved under The Planning Act;

   5. That the owner make a cash payment in lieu of the conveyance of 5 % of the land included in the plan to the City for park purposes;

   6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

   7. That the "8.23 m road widening" for Upper Wentworth Street, shown abutting the lands of the draft plan be dedicated as public highway;

   8. That Blocks 23 to 31 inclusive be developed only in conjunction with abutting lands;

   9. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and the area of Blocks 23 to 31 inclusive, in the final plan;

10. That the owner agree in writing to satisfy the requirements, financial and otherwise, of the City of Hamilton.

(b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this Application (SA-84-04), Benemar Construction Inc., owners, proposed draft plan of subdivision, and that the City execute the Agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

(2) That the draft approved plan for "Aspen Estates" subdivision, **Application SA-76-28**, Regional File No.25T-76045, be revised to provide for the revised lotting and road relocation as shown in broken lines on the draft plan for "Aspen Estates No.2" Phase 2.

(3) That the draft approved plan for "Aspen Estates No.2" subdivision **Application SA-82-01**, Regional File No.25T-82004, be revised to provide for the revised lotting and road connection as shown in broken lines on the draft plan for Aspen Estates No.2, Phase 2, and that condition (b) established by the Hamilton-Wentworth Region which reads as follows:

"(b) That "Rushdale Drive" and "Charing Cross" be established in full to the southerly limit of "Rushdale Drive",

be withdrawn.

10. That the proposed revised plan of subdivision **Application SA-79-21, Ontario Land Corporation**, owner, located north of Mohawk Road and east of Upper Wentworth Street in the Burkholme Neighbourhood, be approved on the following basis:

(a) That conditions a) and c) of the draft approved plan of subdivision "Mohawk Gardens Phase III", Regional File No.25T-79036, which was approved by Regional Council at its meeting on June 3, 1980 as item 4 of the Eleventh Report of the Planning and Development Committee to Regional Council and which read as follows:

"a) That this approval applies to the draft plan "Mohawk Gardens Phase III" by the Project Planning Branch, Ministry of Housing, dated November 6, 1979 which shows a total of 186 units, as revised in red as follows:

i) to reduce the area of Lots 30, 31, 102 and 103.

ii) to show the proposed parcel of land, located between Upper Wentworth Street and Lots 1 to 12, as a block to be dedicated to the City of Hamilton for road purposes." and

"c) That the proposed subdivision conform with the restricted area by-law for the City of Hamilton approved by the Ontario Municipal Board under Section 35 of The Planning Act.", -

be amended to read as follows:

"a) That the approval apply to the draft plan "Mohawk Gardens (Phase 3)" Regional File No.25T-79036, prepared by A. J. Clarke and Associates dated May 11, 1984, revised to show 150 lots and to divide and add the area of Block 151 to Lots 1 - 14 respectively;" and

"c) That the proposed subdivision conform with the zoning by-law approved under The Planning Act." and

(b) That conditions d) and g), which read as follows:

"d) That the site be designated by By-law as a site plan control area and to include control of single and semi-detached dwelling units." and

"g) That appropriate maintenance easements be provided where necessary to provide for maintenance of dwellings.",

be deleted.

11. (a) That in response to the findings of the Flood Plain Review Committee, City Council recommend to the Minister of Natural Resources not to implement:

(i) a new approach in defining flood plains (Recommendations 1, 2, 5 and 6) until:

1. the legal ramifications of removing lands from flood regulations are determined; and

2. a procedure is established to ensure that flood plain criteria be uniformly applied;

(ii) a new approach in regulating development (Recommendations 3, 4, 7 and 8), but rather that the "two-zone concept" and "special policy area" be considered as means of ensuring a flexible approach to development, subject to establishing a provincial guideline to prescribe the conditions under which they can be applied; and

(iii) a new approach in administering flood plain policies (Recommendations 9 to 13), but rather revise the present approach to ensure accessibility and accountability by:

1. requiring the giving of public notification prior to the approval of flood plains, fill and construction lines, and related regulations as well as public participation in decision-making;

2. utilizing more effectively the Mining and Lands Commissioner in matters of appeal or a similar appeal process; and

3. utilizing official plans to apprise the public of areas subject to flood regulations; and,

4. establishing uniform provincial guidelines to be used by the Conservation Authorities in the consideration of fill and construction in regulated areas; and

(b) That a copy of the staff report be forwarded to the Minister of Natural Resources and the Hamilton Region Conservation Authority.

Explanatory Note - The Minister of Natural Resources is seeking input from municipalities on the findings of the Flood Plain Review Committee. As a result of this input, the Province intends to finalize a policy for flood plain management.

12. That approval be given to **City Initiative 84-C** to introduce additional by-law regulations respecting the keeping of animals in the City of Hamilton, on the following basis:

(a) That the City Solicitor be directed to prepare a suitable by-law pursuant to Section 210, paragraph 1 of The Municipal Act, to provide for the following:

(i) That the various classes of animals as regulated under Sections 712A, 712B and 712C of the Health By-law (4798) shall only be permitted in those area of the City zoned "AA" (Agricultural) District under By-law No.6593, provided that the keeping of such classes of animals shall only be permitted on a lot having a minimum area of 12,000 m^2 (2.97 acres).

(ii) The provisions of Clause (i) should not apply to the following:

1. the keeping of up to two (2) animals (e.g. dogs, cats, rabbits, etc.) as per the intent of Section 412C(ii) of the Health By-law (4798); and

2. the keeping of homing pigeons registered with a recognized pigeon fanciers' association (club), and so banded;

(iii) That provision be made for the enforcement of the by-law by an appropriate City Department;

(iv) That provision be made for suitable fines for anyone contravening the by-law;

(b) That the City Solicitor be directed to examine the issue of regulating the keeping of "exotic pets" by researching and reporting back to the Planning Committee on legislative control mechanisms, and the types of animals to be regulated.

Explanatory Note - The purpose of the by-law is to introduce additional regulations respecting the keeping of various types of farm-related animals (e.g. chickens, goats, etc.) in the urban residential areas of the City.

The effect of the by-law is to restrict the keeping of such animals to only those areas of the City zoned as "AA" (Agricultural) District under Zoning By-law No.6593, provided that the lot on which they are kept has a minimum area of 12,000 m^2 (2.97 acres). In addition, the by-law will not apply to the keeping of up to two animals (e.g. dogs, cats, rabbits, etc.) as pets, as otherwise regulated under Section 412C(ii) of the Health By-law; and the keeping of homing pigeons registered with a pigeon fanciers' association and so banded.

13. That the Building Commissioner be authorized to issue demolition permits for the demolition of residential buildings as outlined below, for which application has been processed through the Building Department and the Planning and Development Committee:

    221 Belmont Avenue
    198 Brucedale Avenue East
    820 West 5th Street

14. That approval be given to the preparation of regulations permitting taxis and service vehicles on the south branch of King Street between John and James Streets between the hours of 6:00 p.m. and 11:00 a.m. the following day, seven days a week.

15. That the following list of applicants be submitted to City Council for approval authorizing the Department of Community Development to process grants and/or loans in an amount not to exceed $7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) Or, pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.).

    That the officials of the Corporation involved in these Programmes be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and the Hamilton Rehabilitation Programme.

ONTARIO HOME RENEWAL PROGRAMME

M.. Baskerville	462 Upper Wellington
F. Romano	139 Stinson Street
F. Hull	39 Cameron Street South
E. Davison	74 Graham Avenue North
E. Osmond	428 Bay Street North
J. Shumski	75 Heather Court
E. Hunter	11 Mount Royal Avenue
V. Campanella	203 Park Street North
A. Hay	172 East 35th Street
D. Shewchuk	43 Cluny Avenue

HAMILTON REHABILITATION PROGRAMME

R. E. Andress	128 Alpine
J. Franco	98 Inchbury Street

16. That the following Schedule of Payments to the Concession Street Business Improvement Area (B.IA.) be approved:

June 1984		
	Homecoming Festival	$1,300.00
	Beautification	1,500.00
	Promotion and contingency	200.00
July 1984		
	Promotion, News Contingency	1,000.00
August 1984		
	Promotion, News, Contingency	1,000.00
September 1984		
	Christmas Preparations, decoration and promotion	4,000.00
October 1984		
	Promotion and Contingency	1,000.00
November 1984		
	Promotion and Contingency	1,000.00
	Total	$11,000.00

17. That the City Solicitor be hereby authorized and directed to amend By-law No.83-71, as amended by By-law No.83-250, to make appointments to the Board of Management of the Business Improvement Area bounded, generally, by King William Street, Mary Street, Main Street and James Street and, as more particularly described in By-law No.82-151, in accordance with APPENDIX "F" attached.

18. That the following Schedule of Payments to the "Downtown Promenade", Business Improvement Area (B.I.A.) be approved for 1984:

1st July	$13,000.00
1st August	13,000.00
1st September	12,000.00
1st October	12,000.00
1st November	10,000.00
1st December	10,000.00
	$70,000.00

19. That, in order to acquire by expropriation for redevelopment under Section 22 of The Planning Act, two residential properties, namely 65 and 69 Fullerton Avenue situate in the Gibson Redevelopment Area -

(a) The Corporation of the City of Hamilton, as expropriating authority, apply to the Council of the Corporation of the City of Hamilton as approving authority for approval to expropriate 65 and 69 Fullerton Avenue for redevelopment pursuant to Section 22 of The Planning Act.

(b) The City Clerk be authorized and directed, pursuant to the Expropriation Act, to -

(i) give Notice of the City's application to all owners, registered owners and tenants (as defined in The Expropriations Act) of the said lands;

(ii) advertise Notice of the City's application in a newspaper as required by the Expropriations Act;

(iii) sign and receive the said application for approval to expropriate.

Explanatory Note - On May 8, 1984, City Council adopted Item 13 of the 9th Report of the Planning and Development Committee to approve the purchase for redevelopment of four houses: 67, 71, 73 and 75 Fullerton Avenue, and City Council decided that it would acquire two adjacent houses, namely 65 and 69 Fullerton Avenue, for redevelopment by expropriation. The Real Estate Department was authorized to negotiate the resale of all six properties after their acquisition to the Hamilton East Kiwanis Non-Profit Homes. The above recommendation will authorize the Notices necessary under the Expropriation Act to begin the expropriation of 65 and 69 Fullerton Avenue.

20. That the Mayor and City Clerk be authorized to execute, on behalf of the Corporaiton of the City of Hamilton, a Non-Disturbance Agreement dated June 12, 1984, between Citibank of Canada and the City of Hamilton with respect to the Sheraton Hamilton Hotel Project, attached hereto as APPENDIX "G".

21. That Mr. Ron Moroz of 176 Balsam Avenue South, be reimbursed for the cost of obtaining an Ontario Land Survey at a cost not to exceed $400.00 and that the Finance Committee be requested to recommend the method of financing this expenditure.

Explanatory Note - For the information of the members of City Council, an application was made to the Committee of Adjustment for a variance respecting rear yard coverage. A survey was obtained for the purpose of making application to the Committee of Adjustment and once it was obtained the survey plan clearly indicated that the application was unnecessary.

22. (a) Revised Payment for 5 % Parkland Dedication

(i) That item 21 of the Planning and Development Committee Report 1983, as adopted by City Council September 27, 1983, be rescinded.

(ii) That the Corporation of the City of Hamilton accept the sum of $7,106.22 as cash payment towards 2/9ths of the required 5 % parkland dedication and that 883.37 m^2 be deducted from Robert Shelley Construction Limited's parkland credit balance as the remaining 7/9ths of the required 5 % parkland dedication for "Randall Estates - Phase 3" final plan of subdivision.

NOTE - These lands are located to the east of Upper Gage Avenue and to the north of Stone Church Road East in the Randall Neighbourhood, City of Hamilton.

23. That leave be granted to introduce the following Bills:-

(a) Bill D-75 By-law to Adopt Official Plan Amendment No.20 respecting land located on the west side of Grays Road in the area north of The Queen Elizabeth Way

(b) Bill D-76 By-law to Amend Zoning By-law No.6593 respecting lands located on the north side of King Street East and east of Nash Road

(c) Bill D-77 By-law to Establish Site Plan Control respecting lands located on the north side of King Street East and east of Nash Road

(d) Bill D-78 By-law to Adopt Official Plan Amendment No.19 respecting land located on the south-west corner of Cline Avenue South and Main Street West and known municipally as No.1117 Main Street West

(e) Bill D-79 By-law to Amend Zoning By-law No.6593 respecting land located on the east side of Upper Wentworth Street and north of Stone Church Road East

(f) Bill D-80 By-law to Adopt Official Plan Amendment No.21 respecting lands located on the south side of Barton Street East, west of Wentworth Street South, known municipally as No.448 Barton Street East

(g) Bill D-81 By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No.1117 Main Street West

(h) Bill D-82 By-law to Amend Zoning By-law No.6593 respecting land located on the west side of Grays Road, in the area north of The Queen Elizabeth Way

(i) Bill D-83 By-law to Amend Zoning By-law No.6593 respecting lands located at the north-east corner of Upper Wentworth Street and Limeridge Road East

(j) Bill D-84 By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No.448 Barton Street East

(k) Bill D-85 By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No.57 Woodbine Crescent and dland located on the west side of Dundurn Street North, between Woodbine Crescent and Jones Street

(l) Bill D-86 By-law to Amend Zoning By-law No.6593 respecting lands bounded by Queen, Peter, Hess and Napier Streets

(m) Bill D-87 By-law to Amend Zoning By-law No.6593 respecting lands located on the east side of Mount Albion Road, in the area north of Greenhill Avenue

(n) Bill D-88 By-law to Amend Zoning By-law No.6593 respecting Commercial Uses (Radio Broadcastine Station)

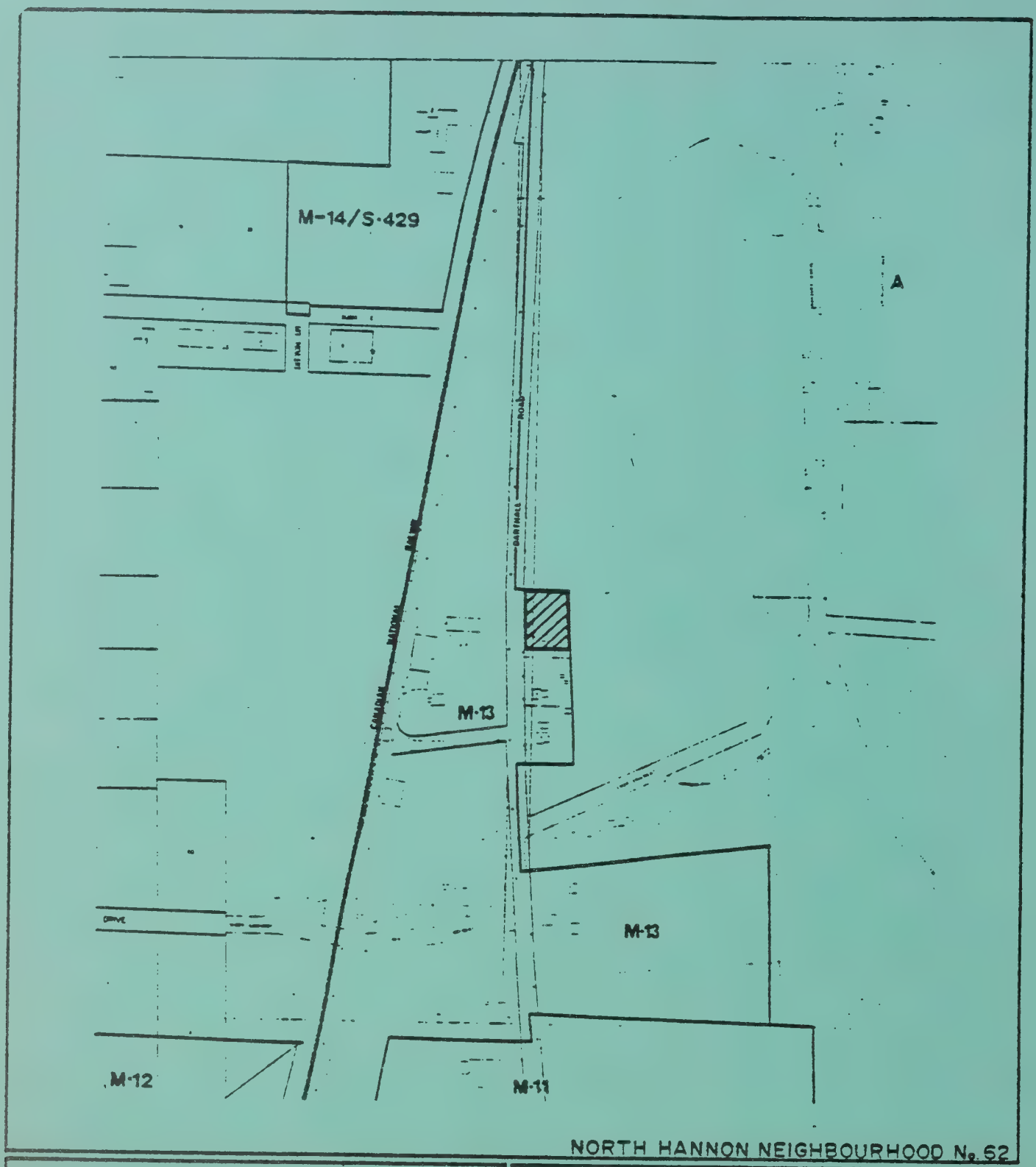
(o) Bill D-89 By-law to Repeal By-law No.83-187 respecting land located at Municipal No.12 Whitfield Avenue

(p) Bill D-90 By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

Alderman W. M. McCulloch, Chairman
Planning and Development Committee

JDT:bg
1984 June 13



PLAN SHOWING
LANDS SUBJECT TO

SITE PLAN CONTROL
APPLICATION DA-84-20

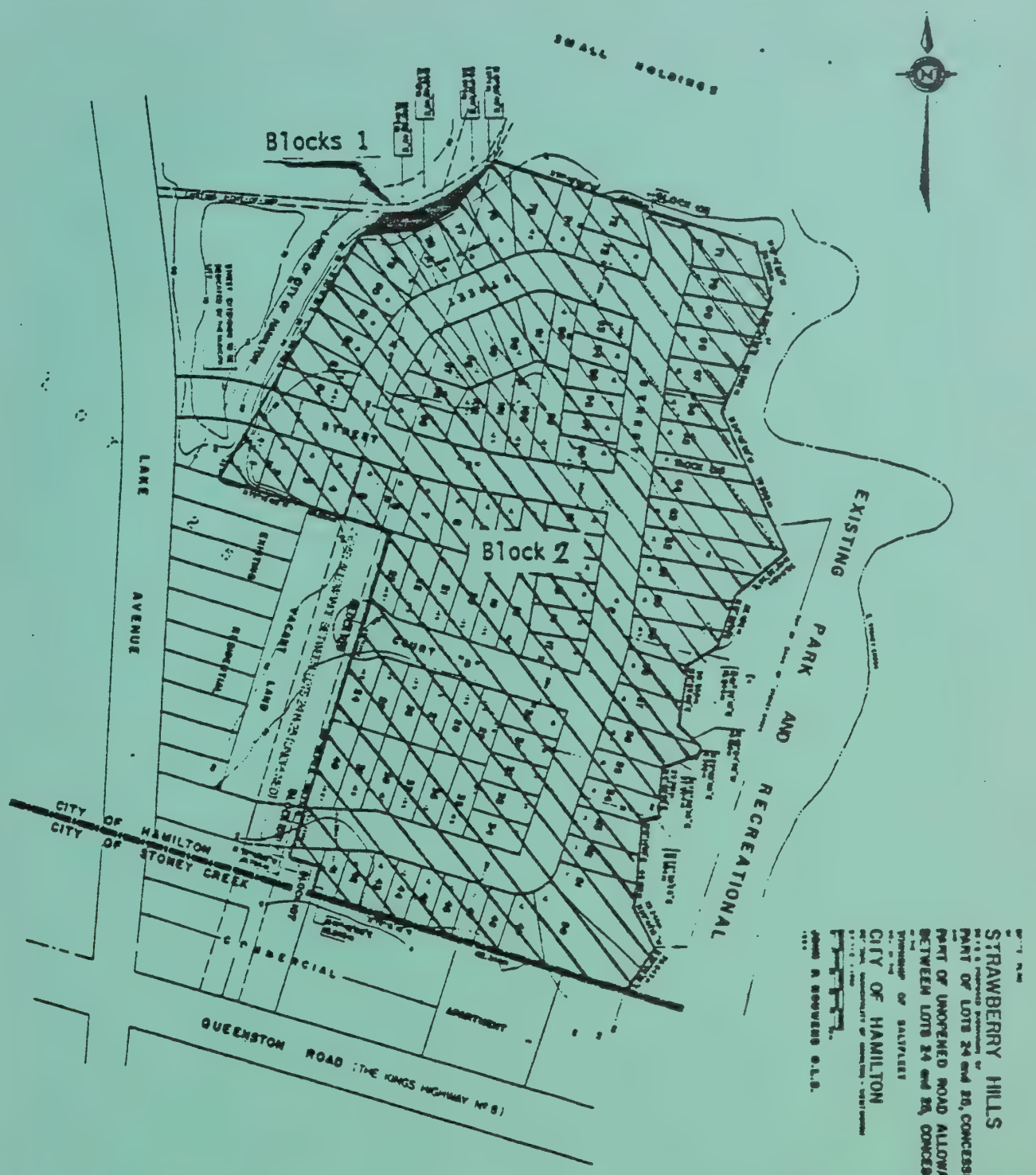
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

SITE OF THE APPLICATION

North	Scale	Reference File No.
	1:5000	DA-84-20
	Date	Drawing No.
	May 1984	84-H-64

APPENDIX "A" referred to in Item 1 of the Thirteenth Report of the Planning and Development Committee



APPENDIX "B" referred to in Item 2 of the Thirteenth Report of the Planning and Development Committee

LEGEND.

2484-04

CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO:

1 "A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT.

2 "C" (URBAN PROTECTED RESIDENTIAL, etc.) DISTRICT.

APPENDIX "E"

LEGEND.

APPENDIX "C" referred to in Item 3 of the Thirteenth Report of the Planning and Development Committee

CHANGE IN ZONING FROM "DE" (LOW DENSITY MULTIPLE DWELLINGS) DISTRICT TO:

Block 1 — "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.

Block 2 — "G-3" (PUBLIC PARKING LOTS) DISTRICT.

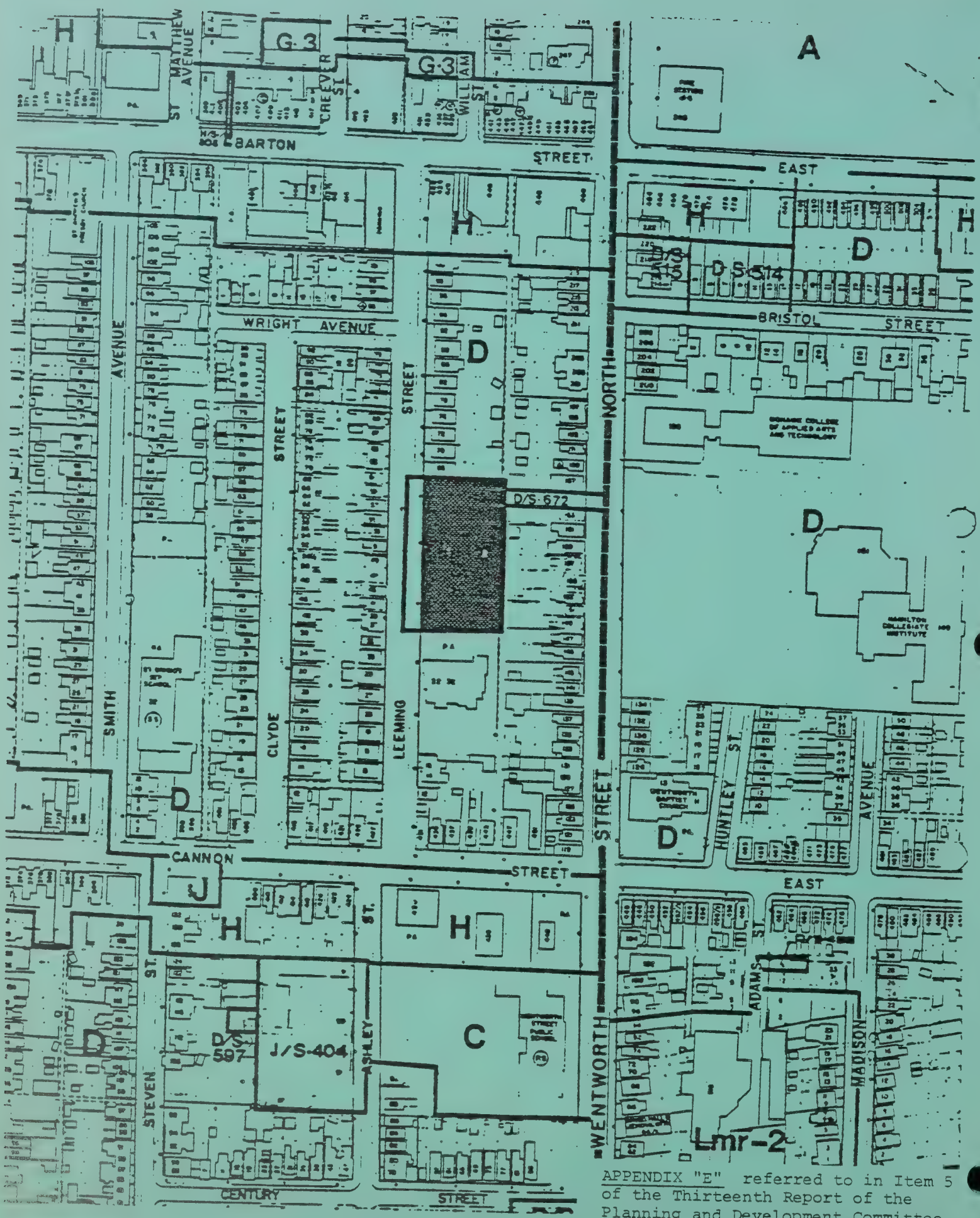
Legend

BLOCK 1 — Change from "C" to "RT-30"

BLOCK 2 — Change from "C" to "A"

SCALE: 1"=100'

APPENDIX "D" referred to in Item 4 of the Thirteenth Report of the Planning and Development Committee



APPENDIX "E" referred to in Item 5 of the Thirteenth Report of the Planning and Development Committee

SITE OF THE APPLICATION

ZA 84-31

APPENDIX "F"

"DOWNTOWN PROMENADE" BUSINESS IMPROVEMENT AREA
(B.I.A.)

BOARD OF MANAGEMENT

RESIGNATIONS:

Mr. Terry Everett, Guaranty Trust, 82 King Street East

Mr. Bill Zolis, Christopher's Fast Food, 73 King Street East

Ms. Barb Attwood, Cambrian Business Products, 18 King Street East

APPOINTMENTS:

Mr. Terry Oliver, Guaranty Trust, 82 King Street East

Mr. Alan Stevenson, Heaton & Hassal, 105 Main Street East

Mr. Nat Davidson, Hamilton Convention Centre, 115 King Street West

Mr. Paul Sefarian, Paul's Shoe Repair, 17 John Street North

Mr. Jim Suenaga, James' Jewellers, 16 John Street North

APPENDIX "F" referred to in Item 17 of
the Thirteenth Report of the Planning
and Development Committee.

THIS AGREEMENT made this day of 1984.

B E T W E E N:

CITIBANK CANADA

Hereinafter referred to as "Citibank",

OF THE FIRST PART,

- and -

THE CORPORATION OF THE CITY OF HAMILTON

Hereinafter referred to as the "City" or the "Sublessee",

OF THE SECOND PART.

WHEREAS the City is the owner in fee simple of the land described in Schedule "A" attached hereto;

AND WHEREAS the City and Lakeview Development Ltd. have entered into a Development Agreement dated November 19, 1981, which Agreement was amended by subsequent agreements as of August 3, 1982, May 3, 1983 and July 29, 1983 (such Agreement as amended hereinafter collectively referred to as the Development Agreement), which Agreement is registered on the Schedule "A" land as Instrument No. _____;

AND WHEREAS the Development Agreement provides inter alia for the construction of a hotel on the City's land described in Schedule "A" attached hereto;

AND WHEREAS the City and Lakeview have entered into a Ground Lease as of May 3, 1983, which Lease was registered as Instrument No. 271066 C.D. on January 31, 1984 and which Lease was amended by agreement dated July 29, 1983, which amending agreement was registered as Instrument No. _____;

AND WHEREAS the Ground Lease as amended, is hereinafter referred to as the "Ground Lease";

AND WHEREAS under Section 22.14 of the Ground Lease, Lakeview is obliged to sublease to the City the parking portion of the demised premises "at such time as the construction of the Improvements has progressed so that the Sublessee (the City) can prepare a three dimensional plan by a licensed surveyor of the area to be subleased";

AND WHEREAS Lakeview and the City have entered into the parking sublease dated the ____ day of _____, 19__ and registered as Instrument No. _____ (hereinafter referred to as the "Parking Sublease", and the premises leased to the City in the parking sublease are hereinafter referred to as the "Subleased Premises");

AND WHEREAS Lakeview has mortgaged the Ground Lease to Citibank Canada;

AND WHEREAS the premises in the Ground Lease mortgaged by Lakeview to Citibank are hereinafter referred to as the "Mortgaged Premises", and the mortgage of the Ground Lease shall hereinafter be referred to as the "Mortgage");

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting of April 10, 1984, in adopting Item 1 of the 7th Report of the Planning and Development Committee, did approve an agreement between the City, Lakeview and Citibank (hereinafter referred to as the "Citibank Agreement"), concerning the terms and conditions under which Citibank will provide financing for Lakeview, which Agreement was registered as Instrument No. _____;

AND WHEREAS Section 1.01 of the Citibank Agreement, concerning Lakeview's Parking Sublease to the City states:

> "Sec. 1.01 - The City acknowledges that, provided the Bank and the City enter into a Non-Disturbance Agreement with respect thereto in form acceptable to the City, its leasehold interest in the said lands as sub-lessee of the parking area of the Hotel, as more specifically set out in this Agreement, will be subordinated to the interest of the Bank as mortgagee of Lakeview's leasehold interest in the lands.";

AND WHEREAS Secton 6.01 of the Citibank Agreement states:

> "Sec. 6.01 - The City hereby acknowledges that, upon receipt by the City of a Non-Disturbance Agreement, in form and content of same attached hereto as Schedule "B", duly executed by the Bank, the sublease referred to in Section 22.14 of the Ground Lease and all of the rights of the City thereunder are, and at all time, shall be subject and subordinate to the Mortgage of the Ground Lease granted by Lakeview to the Bank, including all renewals and extensions thereof. Upon request of the Bank, provided the City is in receipt of said Non-Disturbance Agreement, the City shall, as sub-lessee, attorn to the Bank and any purchaser of the Bank's interest upon a foreclosure or sale of the Ground Lease or the Improvements.";

AND WHEREAS in accordance with Sections 1.01 and 6.01 of the Citibank Agreement, hereinbefore recited, Citibank and the City do enter into the herein Non Disturbance Agreement;

AND WHEREAS The Corporation of the City of Hamilton is the owner in fee simple of the land in Schedule "A" and is a party to the Development Agreement and is the Lessor in the Ground Lease - in this capacity, The Corporation of the City of Hamilton shall herein be referred to as the "City";

AND WHEREAS The Corporation of the City of Hamilton is the Sublessee in the Parking Sublease to it from Lakeview - in this capacity, The Corporation of the City of Hamilton shall herein be referred to as the "Sublessee";

AND WHEREAS Lakeview is a party to the Development Agreement and is the Lessee in the Ground Lease - in this capacity, Lakeview shall herein be referred to as "Lakeview";

AND WHEREAS Lakeview has subleased to the City the Subleased Premises, pursuant to a Sublease - in this capacity, as Lessor of the City, Lakeview shall herein be referred to as "Sublessor".

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the mutual covenants and agreements herein contained, and in consideration of the sum of One ($1.00) Dollar now paid by the City to Citibank (the receipt and sufficiency of which is hereby acknowledged), the parties hereto hereby agree as follows:

1. So long as the Sublessee is not in default (beyond any period given the Sublessee to cure such default) in the payment of rent or additional rent, or in the performance of any of the terms, covenants or conditions of the Parking Sublease and this Agreement on the Sublessee's part to be performed, the Sublessee's posssession of the Subleased Premises and the Sublessee's rights and privileges under the Parking Sublease, or any extensions or renewals thereof which may be effected in accordance with any option therefor in the Parking Sublease, shall not be diminished or interfered with by Citibank, and the Sublessee's occupancy of the Subleased Premises shall not be disturbed by Citibank for any reason whatsoever during the term of the Parking Sublease or any such extensions or renewals thereof.

2. So long as the Sublessee is not in default (beyond any period given the Sublessee to cure such default) in the payment of rent or additional rent, or in the performance of any of the terms, covenants or conditions of the Parking Sublease on the Sublessee's part to be performed, Citibank will not join the Sublessee as a party defendant in any action or proceeding for the purpose of terminating the Sublessee's interest or estate under the Parking Sublease because of any default under the Mortgage.

3. If Citibank succeeds to the interest of Lakeview in the Mortgaged Premises by way of foreclosure, or otherwise takes possession of the Mortgaged Premises or the Mortgaged Premises are sold pursuant to a power of sale under the Mortgage;

(a) the Sublessee shall be bound to Citibank or any assignee or purchaser pursuant to a power of sale under all of the terms, covenants and conditions of the Parking Sublease for the balance of the term thereof remaining and any extensions or renewals thereof which may be effected in accordance with any option thereof in the Parking Sublease, with the same force and effect as if Citibank or any such assignee or purchaser was the Sublessor under the Parking Sublease;

(b) the Sublessee does hereby attorn to Citibank as its sublessor, said attornment to be effective and self-operative without the execution of any further instruments on the part of any of the parties hereto immediately upon Citibank taking possession of the Mortgaged Premises or succeeding to the interest of the Sublessor under the Parking Sublease; provided, however, that the Sublessee shall be under no obligation to pay rent to Citibank until the Sublessee receives written notice from Citibank to do so; and,

(c) the respective rights and obligations of the Sublessee and Citibank to the extent of the then remaining balance of the term of the Parking Sublease and any such extensions and renewals, shall be and are the same as now set forth in the Parking Sublease, it being the intention of the parties hereto for this purpose to incorporate the Parking Sublease in this Agreement by reference with the same force and effect as if set forth at length herein.

4. If Citibank shall succeed to the interest of the Sublessor under the Parking Sublease, Citibank shall be bound to the Sublessee under all the terms, covenants and conditions of

the Parking Sublease, and the Sublessee shall, from and after Citibank's succession to the interest of the Sublessor under the Parking Sublease, have the same remedies against Citibank for the breach of an agreement contained in the Parking Sublease that it might have had under the Parking Sublease against the Sublessor if Citibank had not succeeded to the interest of the Sublessor.

5. Notwithstanding any default that may occur on the part of the Sublessor, its successors and assigns, under the terms of the Mortgage and the subsequent realization by Citibank of its security as constituted by the Mortgage, Citibank shall recognize and be bound by the Parking Sublease according to its terms as fully and to the same extent as if Citibank had executed the Parking Sublease as sublessor; provided, however, that the Sublessee performs and observes all the covenants and agreements on its part contained in the Parking Sublease.

6. In the event of a sale of the Ground Lease by Citibank, pursuant to its power of sale, such sale of the Ground Lease shall be subject to the terms of the Parking Sublease and this Agreement.

7. Citibank consents and approves the Parking Sublease between the Sublessor and the Sublessee, which has been entered into pursuant to Section 22.14 of the Ground Lease.

8. Citibank and the Sublessee agree that this Non Disturbance Agreement or a Notice thereof may be registered on title to the Subleased Premises and on title to the Mortgaged Premises and that the Sublessee or Citibank may register this Agreement.

9. Citibank and the Sublessee agree that the Parking Sublease or a Notice thereof may be registered by the Sublessee on title to the Subleased Premises and on title to the Mortgaged Premises.

10. Citibank and the Sublessee agree that this Agreement is subject to the approval of:

(a) the Ontario Provincial Minister of Municipal Affairs and Housing;

(b) Canada Mortgage and Housing Corporation; and,

(c) and any approval required under Section 49 of The Planning Act of Ontario.

11. Citibank acknowledges and confirms to the Sublessee and the City:

(a) that Section 5.01 of the Development Agreement provides that:

> "Sec. 5.01 - Any revenues derived from the operation of such spaces shall be paid to the City.";

(b) this Agreement does not limit or diminish, in any manner, any other rights the City or the Bank may have, but only applies to Citibank as Mortgagee of the Ground Lease and to the City as Sublessee of the Parking Sublease.

12. The Sublessee hereby acknowledges and agrees that the Parking Sublease and all rights of the Sublessee thereunder are subject to, postponed and subordinated to the Mortgage including without limitation, all interest and costs and expenses referred to therein, and to any and all advances thereunder and to all

renewals, modifications, consolidations, replacements and extensions thereof. The Sublessee agrees to execute and deliver a certificate in confirmation of such postponement and subordination as and when requested by Citibank. The Sublessor and Sublessee acknowledge and agree that Citibank may at any time register this Agreement or a notice thereof on title to the Mortgaged Premises.

13. The Sublessee certifies that the term of the Parking Sublease has commenced and is presently in full force and effect and unmodified; that the Sublessee has accepted possession of the Subleased Premises and that any improvements required by the terms of the Parking Sublease have been completed to the satisfaction of the Tenant; that no rent under the Parking Sublease has been paid more than thirty (30) days in advance of its due date; and that the Sublessee, as of this date, has no charge, lien or claim of set-off under the Parking Sublease or otherwise against the rents or other payments and charges due or to become due thereunder.

14. The Parking Sublease may not be modified or amended without the written consent of the Mortgagee.

15. This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by the parties hereto or their respective successors in interest.

16. This Agreement shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunder affixed their corporate seals duly attested to by the hands of their proper officers in that behalf, the day and year first above written.

CITIBANK CANADA

_____

_____

THE CORPORATION OF THE CITY OF HAMILTON

_____
Mayor

_____
City Clerk

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, and being composed of part of Lots 1 and 2 and the unnumbered Lot in Block 1, part of Lots 1 and 2 and the unnumbered Lot in the Block bounded by Market, MacNab, King and Park Streets, all according to David Kirkendall Survey, registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 39, and part of Park Street immediately east of the said Block 1 (said Park Street now closed by the City of Hamilton By-law No. 81-14, dated December 9, 1980 and registered in the said Land Registry Office as Instrument No. 174954 C.D.), and which said parcel may be more particularly described as all of Part 1, according to a Reference Plan received and deposited in the said Land Registry Office on April 22, 1980 as Plan 62R-5316.

E

REPORT OF THE LEGISLATION COMMITTEE

To The Council of The Corporation of The City of Hamilton.

Members of Council:

The Legislation Committee presents its **ELEVENTH** Report for 1984 and respectfully recommends:

GRANTS

1. That a grant in the amount of $500 be made to the Hamilton and District Labour Council to be used to assist in staging the Annual Labour Day Parade.

2. That a grant in the amount of $1,000 be made to the Refrigeration Services Engineers Society (Canada) to be used to assist in staging an Annual Conference - Hamilton '85 Industry in Action. Approximately 1,000 delegates will be in attendance at this Convention.

3. That a grant in the amount of $1,000 be made to Mr. A.T. Rizzo to assist in hosting the Ontario Provincial Open Karate Championship to be held in the City of Hamilton in September, 1984.

4. That a grant in the amount of $1,000 be made to the G.T.E.V. Alpenland to assist in defraying costs associated with a large reception and ceremony being sponsored for approximately 1,000 Bavarian Austrian Folk Dancers who will be participating in this event.

5. That a grant in the amount of $300 be made to the Mardi Gras Society - Marhalla 58 - Germania Club to be used to assist in hosting a reception for the "Sand Hasen" Mardi Gras Marching Band who will be performing in the City of Hamilton on 1984 July 26 - 28.

6. **That a grant request from the Hamilton Union of Unemployed in the amount of $2,250 to be used to assist in defraying expenses to be incurred in sponsoring a Family Picnic for the unemployed at Prudhommes Landing, Vineland be denied.**

   NOTE - For the information of the Members of City Council, a motion to deny this application was defeated on a tie vote.

CIVIC AWARDS

7. That a civic award be made to Mr. Chester Paddock, who won both the Canadian and Provincial Power Lifting Championships.

RESOLUTIONS

8. (i) That the following resolution from the Town of Milton not be endorsed.

"THAT Milton Council submit the following recommendations to the Province of Ontario with respect to drinking and driving:-

(a) That the drinking age in Ontario be raised to 20 years;

(b) That the driving age in Ontario be raised to 17 years but that student permits be available for 16 year olds accompanied by an adult;

(c) That insurance rates for males and females under 25, not be combined;

(d) That driver education at all Ontario High Schools be compulsory in both written/oral and road experience testing."

(ii) That a request be made to the Province of Ontario to embark upon a funding programme to provide driver education programmes at all Ontario High Schools and that this proposed driver education programme be compulsory in both written/oral and road experience testing.

OTHER

9. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to the Slovenian Heritage Festival to be held 1984 June 30, July 1 and 2 as part of the Bi-centennial Celebrations.

10. That the City of Hamilton endorse the CHILD FIND Programme, Ontario Inc., Hamilton District and that a copy of this resolution be forwarded to the Board of Education for the City of Hamilton.

11. That the City of Hamilton express its profound concern at the continuing grave violations of human rights and fundamental freedom in the Islamic Republic of Iran in particular of the Baha'is, and further, that a copy of this resolution be forwarded to the Honourable Jean-Luc Pepin, Minister of State (External Relations).

12. That the Mayor be authorized to proclaim Monday, 1984 August 6 as a Civic Holiday in the City of Hamilton.

13. That the Chairman or his designate be authorized to attend the Annual Conference of the Association of Municipalities in Ontario from 1984 August 19-23 in Toronto.

14. That the following tax adjustments as recommended by the Tax Review Committee, at its meeting held 1984 June 6, be approved:

APPEAL	AMOUNT (1)	(2)	(3)	(4)
Schedule "A" Compassionate	Prior Year 1984	Year-to-date 1984	Tax Review Committee June 6, 1984	Total Year-to-date 1984
	$ 38,316.60	$ 4,482.75	$ 3,527.00	$ 8,009.75
	(1)	(2)	(3)	(4)
Schedule "B" Business	Prior Year 1983	Year-to-date 1984	Tax Review Committee June 6, 1984	Total Year-to-date 1984
	$1,010,482.12	$ 242,748.72	$ 178,270.18	$ 421,018.90
	(1)	(2)	(3)	(4)
Schedule "C" Realty	Prior Year 1983	Year-to-date 1984	Tax Review Committee June 6, 1984	Total Year-to-date 1984
	$ 289,954.88	$ 192,510.88	$0	$ 192,510.88

Respectfully submitted,

ALDERMAN V.J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE.

L. Dale, Secretary
LD/sma
1984 June 19

F

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:-

The Personnel Committee presents its **SIXTH** Report for 1984 and respectfully recommends:

1. (a) That the Quigley Road Fire Station project recorded in the 1984/1988 Capital Budget as Project No. 32539, gross cost $730,000. be approved at an amended total cost of $840,000.

   (b) That the Finance Committee be requested to recommend the method of financing of this project.

2. That Mr. Victor Pala, Architect, be engaged as Consultant for the Quigley Road Fire Station Project at a fee not to exceed 4.5% of the cost of the work.

   Explanatory Note: For the information of Members of City Council, the Architect's fee proposed is approximately one half of the normal fee for a new fire station. This is in conformance with the Ontario Association of Architects' fee guidelines for a repeat of a previous design.

3. As a result of the re-organization of the City Clerk's Department which was approved by City Council at its meeting held Tuesday, April 24, 1984, the position held by Mr. Robert M. Collier became redundant. It is therefore recommended that the services of Mr. R. M. Collier be terminated as of September 1, 1984 in accordance with the accepted Redundancy Pension Policy.

4. That the following Memorandum of Agreement, for the year 1984, between The Corporation of the City of Hamilton and the Hamilton Professional Fire Fighters Association be approved:-

   This Memorandum of Agreement made this 8th day of June, 1984.

   BETWEEN THE NEGOTIATING COMMITTEES OF:

   THE CORPORATION OF THE CITY OF HAMILTON

   - and -

   THE HAMILTON PROFESSIONAL FIRE FIGHTERS ASSOCIATION

   I. The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.

   II. The undersigned representatives of the parties agree to recommend unanimous acceptance of all the terms of this Memorandum to their respective principals.

III. The parties herein agree that the term of the Collective Agreement shall be January 1, 1984 to December 31, 1984.

IV. The parties herein agree that the said Collective Agreement shall include the terms of the Collective Agreement covering the period from January 1, 1983 to December 31, 1983, dated January 1, 1983, together with the following amendments and provisions.

V. The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto, save and except where this Memorandum of Agreement specifically provides otherwise.

The following are the amendments referred to in Item V above.

1. This Agreement and any future Agreement shall be printed and supplied to each employee by the Employer within sixty (60) days with the costs shared by both parties to this Agreement.

2. The bi-weekly cheques are to be deposited into the Employee's bank account. This procedure to be implemented as soon as is administratively possible.

3. It is agreed and understood that a copy of the costing submissions to the Anti Inflation Restraint Board for the year 1984 shall be given to the Association.

4. All reference to Local 288, I.A.F.F. shall be deleted from the Collective Agreement and replaced, where necessary, with the Hamilton Professional Fire Fighters Association.

5. There shall be a general increase of 5% in salaries for all ranks, excluding the Fire Chief and Deputy Fire Chief, effective January 1, 1984.

ENETERED INTO THIS 8th day of June, 1984 on BEHALF OF:

THE CORPORATION OF THE CITY OF HAMILTON	THE HAMILTON PROFESSIONAL FIRE FIGHTERS ASSOCIATION

5. Approval of Appointments and Terminations in Permanent and Temporary Service with The Corporation to June 20, 1984 as set out in the list appended hereto.

RESPECTFULLY SUBMITTED,

ALDERMAN P. COWELL, CHAIRMAN,
PERSONNEL COMMITTEE

K. E. Avery, Acting Secretary.
June 20, 1984.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

REFERRED TO IN SECTION 5 OF THE SIXTH REPORT OF THE PERSONNEL COMMITTEE.

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Michael Axford	Motor Mechanic Helper	Central Garage Division of Public Works	replacement for Mr. Ken Bellavance -transferred	D-9	$9.991 per hour	May 22/84
Ms. Patricia Bennett	Executive Secretary	Convention Centre	replacement for Mrs. Bonnie Cook -resigned	106	$23,499.84 per annum	May 21/84
Mr. Donald J. Crevatin	Hydraulic Back Hoe-Labourer	Cemetery Division of Public Works	replacement for Mr. Ernest Thurston -transferred	D-11	$10.153 per hour	May 28/84
Mrs. Susan Hamilton	Pool Supervisor	Culture and Recreation	replacement for Miss Mary Steenkist -resigned	110B	$18,587.92 per annum	May 20/84
Mr. Robert Kay	Mechanic	Fire	replacement for Mr.William Gordy	C-6A	$32,277.79 per annum	May 14/84
Mr. William Leonard	Systems Analyst	Treasury	additional staff as approved by by C.A.O.-Jan.24/84	A-18	$760.50 per week	May 14/84
Ms. Debbie Manningham	Automotive Parts Inventory Clerk	Central Garage Division of Public Works	new position as as approved by by Council Mar.27/84	G-6	$436.20 per week	May 22/84
Mr. Gary McKechnie	Motor Mechanic	Central Garage Division of Public Works	replacement for Mr. Robert Robertson -terminated	D-9	$399.64 per week	May 7/84
Miss Shelly Merlo	Lifeguard I	Culture and Recreation	replacement for Ms. Susan Hamilton -promoted	CH-5	$299.97 per week	May 28/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Gary Oxley	Tractor Operator and Labourer	Public Works	replacement for Mr. R. Aldridge -transferred	D-9	$9.991 per hour	May 14/84
Mr. Dusan Popovich	Programmer II	Treasury	additional staff as approved by C.A.O. Jan. 27/84	A-11	$456.86 per week	May 14/84
Mr. Robert Vella	By-Law Enforcement Constable	Traffic	returning to permanent position (was replacing P. Bush -on maternity leave)	B-5	$411.08 per week	May 7/84
Mr. Robert Williamson	Labourer	Public Works	returning to permanent position after Winter Season with Culture and Recreation	D-5	$9.781 per hour	May 7/84
Mr. Kenneth Winning	Assistant Deputy Chief	Fire	replacement for Mr. James Howcroft -retired	C-12	$43,204.77 per annum	May6/84
Mr. John Crane	General Manager, Victor K. Copps Trade Centre/Arena	Trade Centre/ Arena	New position		$59,386.78 per annum (1984 rate)	July 16/84

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mrs. Bonnie Cook	Executive Secretary	Convention Centre	resignation	15 years and 3 months	May 18/84
Miss Kim Winlove-Smith	Catering Co-ordinator /Secretary	Convention Centre	resignation	3 years	May 23/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. James Bridge	Truck Driver-Labourer (Litter Container) (temporary)	Public Works	replacement for Mr. I. Dubeckyj	D-7	$9.611 per hour	May 22/84
Ms. Joyce Collins	Stenographer IV (temporary)	Central Garage Division of Public Works	hired as required	E-2	$273.74 per week	May 28/84
Mr. William Elliott	Chief Monitor (temp./part-time)	Culture and Recreation	hired as required	n/a	$4.500 per hour	April 21/84
Ms. Jennifer Falla	Stenographer I (temporary)	City Clerk's	replacement for Mrs. Betty Goddard -returned to permanent position	E-5	$328.07 per week	May 21/84
Miss Cammy Glover	Cashier (temporary)	Parking Authority	hired as required	V-1	$3.850 per hour	May 18/84
Miss Lynn Goodwin	Cashier (temp./part-time)	Culture and Recreation	hired as required	n/a	$4.250 per hour	May 22/84
Mr. Ivan Korenic	Journeyman Painter (temporary)	Property Mtce. Division of Real Estate	hired as required	PA	$17.390 per hour	June 4/84
Mr. John Lacoursiere	Journeyman Carpenter (temporry)	Property Mtce. Division of Real Estate	hired as required	C	$17.900 per hour	May 14/84
Mr. Bruce Laing	Landscape Architect (temporary)	City Architect's	government program	n/a	$90.00 per week	May 28/84
Mr. Kevin McTiernan	Cashier (temp./part-time)	Parking Authority	hired as required	V-1	$4.200 per hour	May 18/84

Wednesday, June 20, 1984

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Franco Simioni	Monitor (temp./part-time)	Culture and Recreation	hired as required	n/a	$4.000 per hour	May 7/84
Miss Susan Webster	Student (temporary)	City Architect's	hired as required	n/a	$268.23 per week	May 14/84
Mr. Pierre Beausejour	Student Garbageman (temporary)	Public Works	seasonal staff	D-3A	$9.591 per hour	May 7/84
Mr. Jeffrey Crews	Student Garbageman (temporary)	Public Works	seasonal staff	D-3A	$9.591 per hour	May 7/84
Mr. Edward Mason	Student Garbageman (temporary)	Public Works	seasonal staff	D-3A	$9.591 per hour	May 7/84
Mr. Michael Rogers	Student Garbageman (temporary)	Public Works	seasonal staff	D-3A	$9.591 per hour	May 7/84
Mr. Darren Bibby	Checker (temp./part-time)	Culture and Recreation	hired as required	n/a	$4.000 per hour	May 22/84
Miss Victoria Harrison	Checker (temp./part-time)	Culture and Recreation	hired as required	n/a	$4.000 per hour	May 24/84
Miss Melissa Rowley	Checker (temp./part-time)	Culture and Recreation	hired as required	n/a	$4.000 per hour	May 16/84
Mr. Tom Stewart	Checker (temp./part-time)	Culture and Recreation	hired as required	n/a	$4.000 per hour	May 11/84
Miss Cella Cassels	Historical Interpreter (temp./part-time)	Culture and Recreation	hired as required	DC-3	$5.100 per hour	May 15/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Anna Mandarino	Historical Interpreter (temp./part-time)	Culture and Recreation	hired as required	DC-3	$5.100 per hour	May 15/84
Miss Anne McLean	Historical Interpreter (temp./part-time)	Culture and Recreation	hired as required	DC-3	$5.100 per hour	May 15/84
Miss Cheryl Roddick	Historical Interpreter (temp./part-time)	Culture and Recreation	hired as required	DC-3	$5.100 per hour	May 15/84
Miss Luanne Sinnamon	Historical Interpreter (temp./part-time)	Culture and Recreation	hired as required	DC-3	$5.100 per hour	May 15/84
Miss Kimberly Smith	Historical Interpreter (temp./part-time)	Culture and Recreation	hired as required	DC-3	$5.100 per hour	May 15/84
Mr. Tony Demarinis	Assistant Traffic Serviceman (temporary)	Traffic	seasonal staff	A-1	$271.52 per week	May 14/84
Mr. David Nuttley	Assistant Traffic Serviceman (temporary)	Traffic	seasonal staff	A-1	$271.52 per week	May 14/84
Mr. Maurice Storozinski	Assistant Traffic Serviceman (temporary)	Traffic	seasonal staff	A-1	$271.52 per week	May 22/84
Mr. Sandy Basolini	Assistant Traffic Serviceman (temporary)	Traffic	seasonal staff	A-1	$271.52 per week	May 28/84

Wednesday, June 20, 1984

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. James Berberick	Street Sweeper Operator, Flusher Driver, Truck Driver & Labourer (temporary)	Public Works	hired as required for sick and vacation relief	D-9	$9.991 per hour	May 22/84
Mr. George Dans	Street Sweeper Operator, Flusher Driver, Truck Driver & Labourer (temporary)	Public Works	hired as required for sick and vacation relief	D-9	$9.991 per hour	May 22/84
Mr. Donald Deagle	Street Sweeper Operator, Flusher Driver, Truck Driver & Labourer (temporary)	Public Works	hired as required for sick and vacation relief	D-9	$9.991 per hour	May 22/84
Mr. William Jalland	Street Sweeper Operator, Flusher Driver, Truck Driver & Labourer (temporary)	Public Works	hired as required for sick and vacation relief	D-9	$9.991 per hour	May 22/84
Mr. Terry Rinaldo	Street Sweeper Operator, Flusher Driver, Truck Driver & Labourer (temporary)	Public Works	hired as required for sick and vacation relief	D-9	$9.991 per hour	May 22/84
Mr. Peter Hickey	Street Sweeper Operator, Flusher Driver, Truck Driver & Labourer (temporary)	Public Works	hired as required for sick and vacation relief	D-9	$9.991 per hour	May 28/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Viesturs Cers	Project Manager (temporary)	Culture and Recreation	government program	n/a	$231.00 per week	May 22/84
Miss Nancy Harrington	Project Manager (temporary)	Culture and Recreation	government program	n/a	$231.00 per week	May 28/84
Mr. Robert Towler	Project Manager (temporary)	City Architect's	government program	n/a	$231.00 per week	May 14/84
Ms. Laura Jankowski	Project Worker (temporary)	Culture and Recreation	government program	n/a	$154.00 per week	May 28/84
Miss Michele Muirhead	Project Worker (temporary)	Culture and Recreation	government program	n/a	$154.00 per week	May 28/84
Ms. Joan Pikor	Project Worker (temporary)	Community Development	government program	n/a	$154.00 per week	May 22/84
Miss Colleen Wray	Project Worker (temporary)	City Architect's	government program	n/a	$154.00 per week	May 14/84
Miss Christine Abi-Rashed	Project Worker (temporary)	Culture and Recreation	government program	n/a	$154.00 per week	May 28/84
Miss Joan Beech	Project Worker (temporary)	Culture and Recreation	government program	n/a	$154.00 per week	May 28/84
Mr. Kenneth Callaghan	Project Worker (temporary)	Culture and Recreation	government program	n/a	$154.00 per week	May 28/84
Mr. David Everest	Project Worker (temporary)	Culture and Recreation	government program	n/a	$154.00 per week	May 28/84
Ms. Iris-Rena Guenduez	Project Worker (temporary)	Culture and Recreation	government program	n/a	$154.00 per week	May 28/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Jonathan Harper	Project Worker (temporary)	Culture and Recreation	government program	n/a	$134.75 per week	May 28/84
Mr. John Ames	Project Worker (temporary)	Culture and Recreation	government program	n/a	$154.00 per week	May 14/84
Ms. Justine Dandie	Project Worker (temporary)	Culture and Recreation	government program	n/a	$154.00 per week	May 22/84
Ms. Catherine Frils	Project Worker (temporary)	Culture and Recreation	government program	n/a	$134.75 per week	May 29/84

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Miss Christine Baird	Adult Fitness Instructor (temporary)	Culture and Recreation	termination	7 months	May 17/84
Mr. Remo Camillo	Cashier (temp./part-time)	Parking Authority	resignation	3 years	April 28/84
Mr. Gerald Haak	Assistant Traffic Serviceman (temporary)	Traffic	resignation	1 month	June 1/84
Mr. Duarte Pavao	Program Organizer (temporary)	Culture and Recreation	termination	2 months	June 3/84
Miss Louise Smit	Cashier (temp./part-time)	Culture and Recreation	resignation	3 years & 7 months	May 23/84
Miss Sandi Buffett	Checker (temp./part-time)	Culture and Recreation	resignation	11 months	May 27/84
Mr. Robert Davidson	Checker (temp./part-time)	Culture and Recreation	resignation	1year & 7 months	May 4/84
Miss Donna Hampson	Checker (temp./part-time)	Culture and Recreation	resignation	11 months	May 24/84
Mr. James House	Checker (temp./part-time)	Culture and Recreation	resignation	7 months	April 29/84
Miss Kimberly Martin	Checker (temp./part-time)	Culture and Recreation	resignation	2 years & 10 months	April 29/84
Miss Merianne McDonald	Checker (temp./part-time)	Culture and Recreation	resignation	1year & 7 months	May 23/84

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Grant Rorabeck	Checker (temp./part-time)	Culture and Recreation	resignation	8 months	May 5/84
Miss Kerry Williamson	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	2 months	March 24/84
Miss Domenica Gulli	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	5 months	March 25/84
Miss Sharon Williamson	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	5 months	April 7/84
Mr. James Intine	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	6 months	April 17/84
Miss Raven Raby	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	6 months	April 20/84
Miss Sharon Lewis	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	6 months	April 24/84
Miss Janice Tessaro	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	6 months	April 25/84
Mr. Gary Campbell	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	6 months	April 26/84

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Miss Elaine McLaughlan	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	6 months	April 26/84
Mr. David Tasse	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	6 months	April 26/84
Miss Deborah Ross	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	6 months	April 26/84
Miss Carolyn Tessaro	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	6 months	April 26/84
Miss Victoria Boyd	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	6 months	April 28/84
Miss Joanne Volo	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	6 months	April 30/84
Miss Mona Ackerman	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	7 months	May 7/84
Miss Theresa Black	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	7 months	May 7/84
Mr. Carver Lewis	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	7 months	May 10/84

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Tom Spyredes	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	8 months	May 12/84
Miss Sandra Troccoli	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	7 months	March 12/84
Miss Deborah Fisher	Community Sports Organizer (temp./part-time)	Culture and Recreation	resignation	1 month	May 17/84
Mr. Jeffery Bradley	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	3 1/2 months	March 7/84
Mr. Donald Davies	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	7 months	April 29/84
Miss Heather Harris	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	8 months	May 7/84
Miss Deborah Miyata	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	8 months	May 13/84
Mr. Robert Towler	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	7 months	May 13/84
Miss Susan Raymond	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	4 years & 8 months	May 23/84
Miss Patricia Butler	Red Cross Instructor (temp./part-time)	Culture and Recreation	resignation	11 months	May 26/84

NOTICE OF MOTION

5(C)

NOTICE OF MOTION FOR NEXT REGULAR MEETING OF HAMILTON CITY COUNCIL

Alderman M. Davison

"WHEREAS the City of Hamilton is at the centre of Canada's industrial heartland which has suffered greatly during the recession,

AND WHEREAS the City of Hamilton is key to any national economic recovery in this period of significant economic transformation,

AND WHEREAS the City of Hamilton has the industrial plants, the management expertise, the support services, the transportation access, the educational institutions and the aspirations and the skills of working men and women necessary for major re-industrialization and economic redevelopment,

AND WHEREAS the creative and dynamic people of Hamilton, meeting and working together as a true community, have the will to create an environment in which sunrise industries will thrive and traditional industries will be reinvigorated.

THEREFORE BE IT RESOLVED that the City of Hamilton convene a Citizens' Congress of 100 members to be composed of as follows:

26 elected officials or their representatives (including all Members of Council, Area MPP's and Area MP's),

48 persons nominated by the Mayor, 8 from Large Businesses, 8 from Small Businesses, 8 from Organized Labour, 8 from Educational Institutions (including McMaster University, Mohawk College, the Board of Education and the Hamilton-Wentworth Roman Catholic Separate School Board), 8 from Government (2 local staff members from each level of Government), and 8 from the Human Services Field,

26 selected, after advertising, by Council upon nomination from the floor which will meet in public session and encourage full public input to prepare a complete proposal to the Provincial and Federal Governments to establish, with all necessary funding and assistance, the City of Hamilton as the Province's and the Nation's MODEL ECONOMIC REDEVELOPMENT COMMUNITY where new economic initiatives - focusing on areas such as import replacement, permanent job creation in basic industries, increased industrial self sufficiency, and self reliance, accelerated public and private construction and reconstruction, joint ventures, new forms of management and ownership, labour intensive industries, alternate planning mechanisms, socially useful forms of production, relevant job training programmes, the use of appropriate technology and renewable energy sources in industrial production - will be developed and tested and then made available for use in other communities in Ontario and Canada."

Bill No. A-21

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Traffic By-law No. 66-100
Parking of Motor Vehicles on Private and Municipal Property
By-law No. 75-155
Fire Routes By-law No. 75-168
Airport By-law No. 77-181
Hess Street Village Mall By-law No. 80-179

Respecting:

TAG PENALTIES

WHEREAS each of the aforementioned by-laws provide for the tagging of motor vehicles and the payment of penalties out of court;

AND WHEREAS it is intended to increase the amount of the penalties.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Clause 43a(2)(a) of **By-law No. 66-100**, as amended by clause 1(a) of By-law No. 82-231, is amended by striking out "five dollars" in the fifth line and inserting in lieu thereof "six dollars".

(2) Clause 43a(2)(b) of the said by-law, as amended by clause 1(a) of By-law No. 82-231, is amended by striking out "five dollars" in the fifth line and inserting in lieu thereof "six dollars".

(3) Clause 43a(3)(a) of the said by-law is amended by striking out "ten dollars" in the third line and inserting in lieu thereof "thirteen dollars".

(4) Clause 43a(3)(b) of the said by-law is amended by striking out "ten dollars" in the third line and inserting in lieu thereof "thirteen dollars".

(5) Clause 43a(4)(a) of the said by-law is amended by striking out "twenty dollars" in the third line and inserting in lieu thereof "twenty-five dollars".

(6) Clause 43a(4)(b) of the said by-law is amended by striking out "twenty dollars" in the third line and inserting in lieu thereof "twenty-five dollars".

2. Section 11 of **By-law No. 75-155** is amended by striking out "$10.00" in the third line and inserting in lieu thereof "$13.00".

3. (1) Clause 17(a) of **By-law No. 75-168**, as amended by section 1 of By-law No. 79-24, is amended by striking out "$10.00" and inserting in lieu thereof "$13.00".

(2) Clause 17(b) of the said by-law, as amended by section 2 of By-law No. 79-24, is amended by striking out "$20.00" and inserting in lieu thereof "$25.00".

4. (1) Clause 26(2)(b) of **By-law No. 77-181**, as amended by section 2 of By-law No. 79-241 and renumbered by section 3 of By-law No. 84-73, is amended by striking out "$10.00" and inserting in lieu thereof "$13.00".

(2) Clause 26(2)(c) of the said by-law, as amended by section 3 of By-law No. 79-241 and renumbered by section 3 of By-law No. 84-73, is amended by striking out "$20.00" and inserting in lieu thereof "$25.00".

5. Subsection 5a(2) of **By-law No. 80-179**, as enacted by section 5 of By-law No. 84-63, is amended by striking out "twenty dollars" in the last line and substituting in lieu thereof "twenty-five dollars".

6. This by-law comes into force on the 1st day of July, 1984.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 1 R.T.E.C. 39, January 31
(1984) 5 R.T.E.C. 13, March 27
(1984) 6 R.T.E.C. 9, April 10

Bill No. A-22

By-law No. 84 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 25B (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding to Section 4 (One Hour Limit) the following item, namely:-

"Robert	North	Hughson to John".

2. Schedule 26 (No Parking Areas) is hereby amended by adding to Section A (No Parking Anytime) the following item, namely:-

"Tate	East	Brampton to Mead".

and by deleting therefrom the following item, namely:-

"Railway	West	Cannon to 116 ft. north".

PASSED this day of , A.D. 1984.

City Clerk Mayor

(1984) 11 R.T.E.C. 25, June 26

Bill No. A-23

By-law No. 84 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 10 (Stops At Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding thereto the following items, namely:-

"Hummingbird	Northbound	Bobolink
Guelph	Northbound	Mahoney
Vansitmart	Eastbound and Westbound	Harmony".

2. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following items, namely:-

"Jackson	North	commencing at a point 218 feet east of Catharine to a point 83 feet easterly therefrom
Fairfield	West	Vansitmart to 38 feet north
Fairfield	East	Vansitmart to 39 feet north
Railway	West	Cannon to 156 feet north".

3. Schedule 31 (School Bus Loading Zones) is hereby amended by adding thereto the following items, namely:-

"Gemini	North	40 feet	commencing at a point 213 feet west of Cranbrook to a point 40 feet westerly therefrom	7:00 a.m. - 6:00 p.m., Monday to Saturday".

PASSED this day of , A.D. 1984.

City Clerk

Mayor

(1984) 11 R.T.E.C. 25, June 26

Bill No. A-24

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO WIDEN KINGFISHER DRIVE, BY INCORPORATING THERIN PART OF PART 3, PLAN 62R-5842

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Kingfisher Drive, by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Kingfisher Drive.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 26th day of June, A.D. 19 84.

City Clerk Mayor

(1984) 1 R.T.E.C. 48, January 31

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 11, Concession 6, in the geographic Township of Barton and more particularly described as follows:

PREMISING that the bearings described herein are astronomic and are referred to the westerly limit of Kingfisher Drive, on a course of North seventeen degrees, seven minutes, thirty seconds East (N 17° 07' 30" E) as shown on Plan 62M-364;

COMMENCING at the north-east corner of Lot 1, according to Cardinal Heights Addition No. 5 (Phase 3), filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan 62M-364;

THENCE South seventeen degrees, seven minutes, thirty seconds West (S 17° 07' 30" W) along the eastern limit of the said Cardinal Heights Addition No. 5 (Phase 3) a distance of one hundred and ninety-six point one seven five metres (196.175 m.) to the northern limit of Block 49 of the said Cardinal Heights Addition No. 5 (Phase 3);

THENCE South seventy-one degrees, twenty-two minutes, thirty seconds East (S 71° 22' 30" E) along the production easterly of the said northern limit zero point three zero metres (0.30 m.) to the western limit of Kingfisher Drive, as established by City of Hamilton By-law No. 81-349, registered in the said Land Registry Office as Instrument No. 113363 L.T.;

THENCE North seventeen degrees, seven minutes, thirty seconds East (N 17° 07' 30" E) along the said western limit one hundred and ninety-six point one seven five metres (196.175 m.) to a line drawn on a course of South seventy-two degrees, fifty-two minutes, thirty seconds East (S 72° 52' 30" E) from the point of commencement;

THENCE North seventy-two degrees, fifty-two minutes, thirty seconds West (N 72° 52' 30" W) zero point three zero meteres (0.30 m.) to the point of commencement.

The above described parcel being part of Part 3, according to Plan 62R-5842 and shown in heavy outline on Plan No. RB-H-249 Surveys attached hereto.

Bill No. A-25

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO WIDEN RIDLEY DRIVE, BY INCORPORATING THEREIN A 1 FOOT RESERVE, BEING PART OF BLOCK "EX", PLAN 62M-135

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Ridley Drive, by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Ridley Drive.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 26th day of June, A.D. 1984.

City Clerk Mayor

(1983) 21 R.T.E.C. 10, November 29

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Block "EX", according to Queensway Manor, Phase 3, registered in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth, as Plan M-135, and more particularly described as follows:

PREMISING that all bearings described herein are astronomic and are referred to the southern limit of Ridley Drive, as shown on Plan M-135, on a course of North seventy-two degrees, nineteen minutes, forty seconds West (N 72° 19' 40" W);

COMMENCING at the north-east angle of Lot 2, according to Quinn Survey, registered in the Land Registry Office for the Registry Division of Wentworth as Number 1004;

THENCE North seventy-two degrees, nineteen minutes, forty seconds West (N 72° 19' 40" W) along the southern limit of the said Block "EX" a distance of three hundred and eighteen point six zero feet (318.60') to the beginning of a curve to the left, having a radius of fifty point zero feet (50.0');

THENCE westerly, continuing along the southern limit of Block "EX" along the said curve to the left, an arc distance of thirty-three point zero eight feet (33.08'), the chord equivalent having a distance of thirty-two point four eight feet (32.48') and a bearing of South eighty-eight degrees, forty-three minutes, five seconds West (S 88° 43' 05' W) to the beginning of a curve to the right, having a radius of fifty point zero feet (50.0');

THENCE westerly, continuing along the southern limit of Block "EX" along the said curve to the right, an arc distance of thirty-one point nine eight feet (31.98'), the chord equivalent having a distance of thirty-one point four four feet (31.44') and a bearing of South eighty-eight degrees, four minutes, forty seconds West (S 88° 4' 40" W),

to a line drawn parallel with and distant one point zero feet (1.0') measured easterly and perpendicular from the western limit of Block "A", according to Quinndale, Phase 3, registered in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-186;

THENCE North seventeen degrees, thirty-four minutes East (N 17° 34' E) along the said parallel line one point zero zero feet (1.00');

THENCE easterly on a curve to the left, having a radius of forty-nine point zero zero feet (49.00'), an arc distance of thirty-one point three three feet (31.33), the chord equivalent having a distance of thirty point eight zero feet (30.80') and bearing of North eighty-eight degrees, five minutes, zero seconds East (N 88° 5' 00" E);

THENCE easterly on a curve to the right, having a radius of fifty-one point zero zero feet (51.00'), an arc distance of thirty-three point seven four feet (33.74'), the chord equivalent having a distance of thirty-three point one three feet (33.13') and a bearing of North eighty-eight degrees, forty-two minutes, forty-five seconds East (N 88° 42' 45" E);

THENCE South seventy-two degrees, nineteen minutes, forty seconds East (S 72° 19' 40" E), three hundred and eighteen point six zero feet (318.60') to a line drawn on a course of North seventeen degrees, forty minutes, twenty seconds East (N 17° 40' 20" E) from the point of commencement;

THENCE South seventeen degrees, forty minutes, twenty seconds West (S 17° 40' 20" W) one point zero feet (1.0') to the point of commencement.

The above described parcel being part of Block "EX", according to Plan M-135 and shown in heavy outline on Plan No. RA-H-220 Surveys attached hereto.

BILL NO. A-26

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO EXTEND GREENHILL AVENUE, TO A POINT
423 METRES SOUTHERLY OF KING STREET,
PARTS 2 AND 3, 62R-6919

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 398 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient, at this time, to establish as highway, the lands described in Schedule "A" at a width of less than twenty metres (20 m.);

AND WHEREAS Section 306 of the said The Municipal Act requires that the Council may not lay out any highway less than twenty metres (20 m.) wide without the approval of the Minister of Municipal Affairs and Housing;

AND WHEREAS David McHugh, Director, Plans Administration Branch, Central and Southwest, on behalf of the Minister of Municipal Affairs and Housing, has, by document dated May 18, 1984 (a copy of which is attached hereto as Schedule "B"), granted approval to the extension of Greenhill Avenue to a point four hundred and twenty-three metres (423 m.) southerly of King Street;

AND WHEREAS the lands required for such purposes are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Greenhill Avenue.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 26th day of June, A.D., 1984.

City Clerk

Mayor

(1983) 22 R.T.E.C. 19, December 13

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of parts of Lot 28, Concession 4, in the geographic Township of Barton and designated as Parts 2 and 3 on a Reference Plan, received and deposited in the Land Registry Office for the Registry Division of Wentworth as Plan 62R-6919.

SCHEDULE "B"

APPROVAL IS HEREBY GIVEN UNDER SECTION 306 OF THE MUNICIPAL ACT (R.S.O. 1980) TO THE EXTENSION OF GREENHILL AVENUE TO A POINT 423 METRES SOUTHERLY OF KING STREET.

THE LANDS TO BE LAID OUT AS PUBLIC HIGHWAY ARE SHOWN AS PARTS 2 AND 3 PLAN 62R-6919 DEPOSITED IN THE LAND REGISTRY OFFICE FOR THE REGISTRY DIVISION OF WENTWORTH.

DATED AT TORONTO THIS 18th DAY OF May 1984.

David McHugh
Director
Plans Administration Branch
Central and Southwest

Bill No. A-27

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO EXTEND PINEWARBLER DRIVE, BY INCORPORATING THEREIN, BLOCK 40, PLAN M-341

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Pinewarbler Drive, by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Pinewarbler Drive.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 26th day of June, A.D. 1984.

City Clerk Mayor

(1984) 1 R.T.E.C. 47, January 31

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block 40, according to Cardinal Heights Addition No. 5 (Phase 2), filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan 62M-341.

Bill No. A-28

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO WIDEN ADIS AVENUE, BY INCORPORATING THEREIN BLOCK "AX", PLAN M-228

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Adis Avenue, by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Adis Avenue.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 26th day of June, A.D. 1984.

City Clerk Mayor

(1984) 5 R.T.E.C. 15, March 27

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Block "AX", according to a plan of subdivision, Oakington Estates, Phase 5, registered in the Land Registry Office for the Land Titles Division of Wentworth as Plan M-228.

Bill No. A- 29

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO WIDEN GARTH STREET BY INCORPORATING THEREIN PARTS 2 AND 3, 62R-7004

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Garth Street, by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Garth Street.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 26th day of June, A.D. 1984.

City Clerk Mayor

(1984) 6 R.T.E.C. 19, April 10

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 18, Concession 8, geographic Township of Barton and being more particularly described as Parts 2 and 3, according to a Reference Plan deposited in the Land Registry Office for the Land Titles Division of Wentworth as Plan 62R-7004.

Bill No. A-30

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO ALTER AND RECONSTRUCT A PORTION OF
KING STREET EAST, FROM CATHARINE STREET TO JOHN STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, to alter, establish and lay out any highway or part of a highway under its jurisdiction;

AND WHEREAS the Council of The Regional Municipality of Hamilton-Wentworth is empowered under subsection (2) of Section 26 of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, to remove roads from the regional road system;

AND WHEREAS under subsection (6) of Section 26 of The Regional Municipality of Hamilton-Wentworth Act, a road or a part thereof which is removed from the regional road system, is thereupon transferred to, and the jurisdiction and control and the soil and freehold thereof, is thereupon vested in the area municipality in which it is situate;

AND WHEREAS under subsection (10) of Section 26 of The Regional Municipality of Hamilton-Wentworth Act, every by-law passed under Section 26 of the said Act, must be submitted for the approval of the Lieutenant-Governor-in-Council and such by-law, as approved, is in force and effect after the day named by the Lieutenant-Governor-in-Council;

AND WHEREAS the Council of The Regional Municipality of Hamilton-Wentworth, at its meeting held on March 20th, 1984, passed By-law No. R84-021, a certified copy of which is attached hereto as Schedule "A", under subsection (2) of Section 26 of The Regional Municipality of Hamilton-Wentworth Act to remove a portion of the south branch of King Street, from Catharine to John Street, from the regional road system;

AND WHEREAS the Lieutenant-Governor-in-Council, under subsection (10) of Section 26 of The Regional Municipality of Hamilton-Wentworth Act, by Order-in-Council dated May 11, 1984, a certified copy of which is attached hereto as Schedule "B", approved the said By-law

passed by the Council of The Regional Municipality of Hamilton-Wentworth and the said By-law came into force and effect upon the said approval;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting held on the 24th day of April, 1984, authorized the alteration of the south branch of King Street, from Catharine Street to John Street, by closing the said portion of King Street to through vehicular traffic;

AND WHEREAS Notice of this By-law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, whether in objection to, or in support of this By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The alteration of the south branch of King Street between Catharine Street and John Street by reconstruction including the installation of curbs and plants, so as to prohibit through vehicular traffic.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to sign all documents and do all things necessary to implement these works.

PASSED this 26th day of June, A.D., 1984.

City Clerk Mayor.

(1984) 7th R.T.E.C. 1, April 24

Bill No. 636

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY LAW NO. R84-021

Being a By-Law to: delete a road from the Regional Road System and to add a road to the Regional Road System:

King Street - City of Hamilton

(Delete King Street South Branch - From Catharine St. to John St.)

WHEREAS Regional Council on June 5, 1979 passed and enacted By-Law R79-109, being a By-Law to consolidate all By-Laws with respect to roads included in the Regional Road System; and

WHEREAS Subsection 2 of Section 26 of The Regional Municipality of Hamilton-Wentworth Act provides in part that:

> "The Regional Council may by By-Law from time to time add roads to or remove roads from the Regional Road System ...".

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. Schedule "A" of By-Law Number R79-109 passed on the 5th day of June, 1979, being the last By-Law consolidating all By-Laws with respect to roads included in the Regional Road System, as amended by By-Law No. R80-132, R80-133, R80-136, R81-178, R81-179, R82-057, R82-113 and R84-020 is hereby amended by:

   a) deleting therefrom the plan numbered 112-3 of road known as Regional Road Numbered 112; and

   b) adding thereto the plan numbered 112-4, attached hereto as Schedule "A", of the Road to be known as Regional Road No. 112.

2. Schedule "A" attached to this By-Law is part of this By-Law.

3. This By-law shall come into force and take effect upon and to the extent of the approval thereof by the Lieutenant Governor in Council.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 20th day of March, 1984.

Chairman

I hereby certify the foregoing to be a true copy of By-Law No. R84-021 of the Regional Municipality of Hamilton-Wentworth which was approved by Regional Council on March 20, 1984.

Dated at Hamilton this 8th day of June, 1984.

Regional Clerk

SCHEDULE "B"

Order in Council

Ontario
Executive Council

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that

pursuant to Subsection 26(10) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, approval be given to Bylaw Nos. R84-020 and R84-021 of the Regional Municipality of Hamilton-Wentworth to amend the Regional Road System of the said Regional Municipality.

Certified to be a true copy,

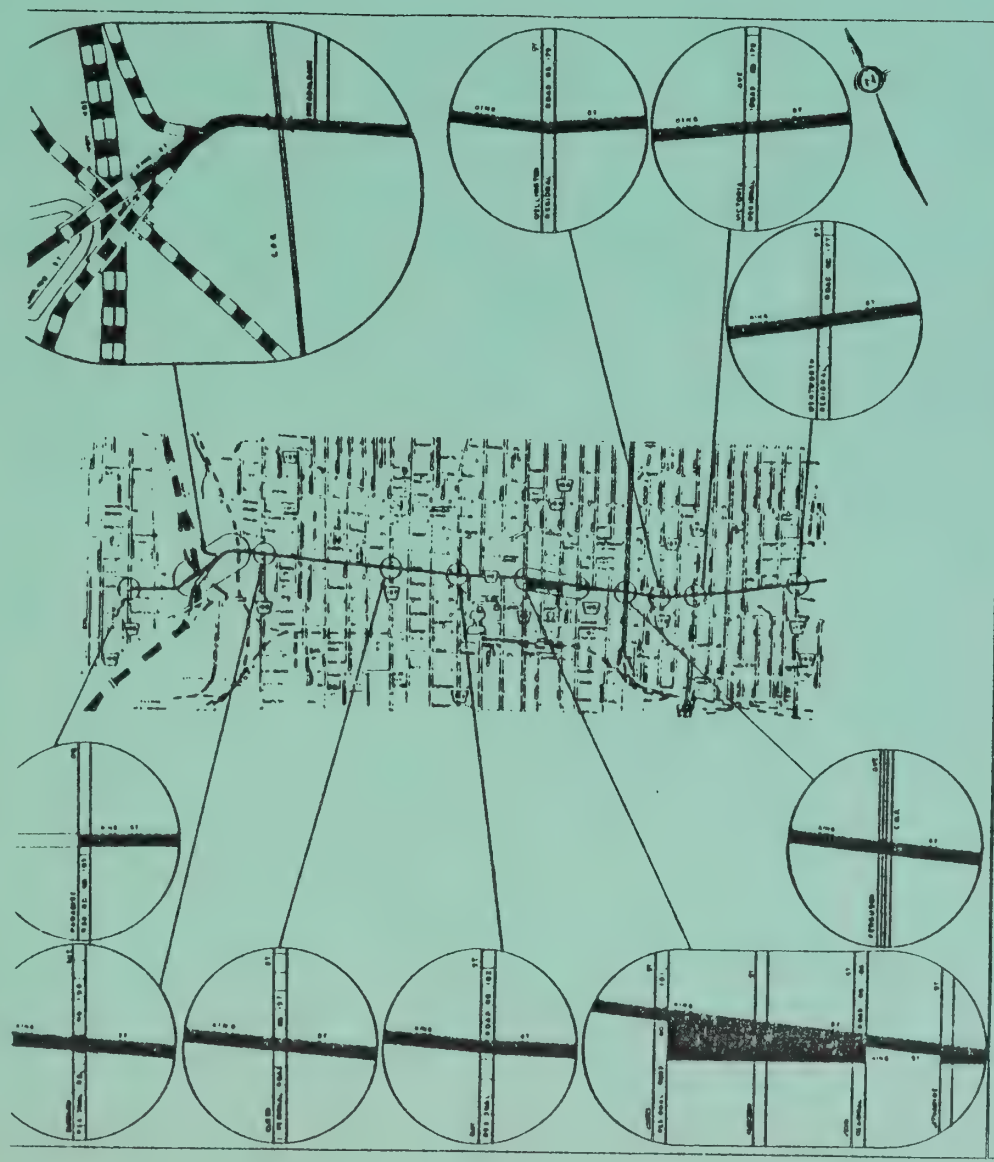
Assistant Clerk, Executive Council

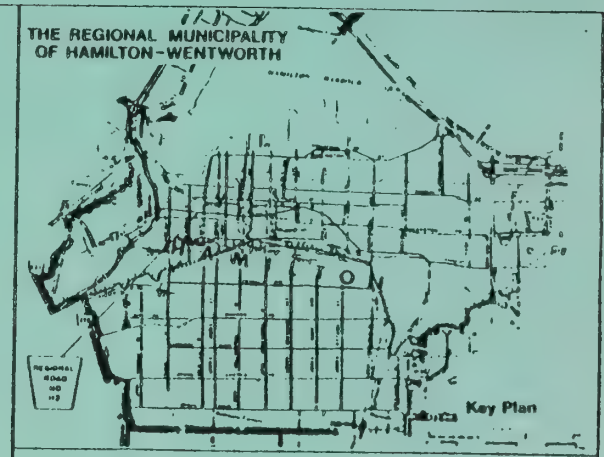
Recommended: Minister of Transportation & Communications

Concurred: Chairman

Approved and Ordered: May 11, 1984
Date

Lieutenant Governor





PLAN SHOWING
BY A BROKEN LINE
THAT PORTION OF ROAD
IN THE AREA MUNICIPALITY OF

THE CITY OF HAMILTON

ADDED TO THE REGIONAL ROAD SYSTEM
BY
BY-LAW NUMBER
OF THE

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
TO BE KNOWN AS
REGIONAL ROAD NUMBER 112

LOCALLY KNOWN AS KING STREET

LENGTH OF ROAD ADDED - APPROX

SCALE IN KILOMETERS

LEGEND

BILL NO. A-31

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO AUTHORIZE THE SALE OF PART OF A STOPPED-UP HIGHWAY, FORMERLY KNOWN AS PARADISE ROAD AND SHOWN AS PARTS 1 AND 2 ON PLAN 62R-6882 TO 511339 ONTARIO LIMITED

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 to sell the soil and freehold of a stopped-up highway or part of a stopped-up highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 9555, registered on January 9, 1962 as Instrument No. 187131 H.L., to stop-up certain portions of the highway previously known as Paradise Road and shown outlined in red on Plan No. NS-797 Surveys, attached to the said Instrument No. 187131 H.L.;

AND WHEREAS the then abutting owner to the west of the stopped-up portion of the highway, John J. Greene, acquired the west half of the stopped-up portion of the highway on February 21, 1967;

AND WHEREAS the then abutting owner to the east of the stopped-up portion of the highway did not exercise his right to purchase the east half of the stopped-up portion of the highway;

AND WHEREAS the current abutting owner to the east of the stopped-up portion of the highway, 511339 Ontario Limited, has offered to purchase the east half of the stopped-up portion of the highway;

AND WHEREAS Notice of this by-law has been published as required by Section 301 of the said The Municipal Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Within sixty (60) days after the enactment of this by-law or May 31, 1984, whichever shall be later, or such period as may be fixed by a subsequent by-law, the abutting owner on the

east, 511339 Ontario Limited, may purchase the portion of the stopped-up highway, formerly known as Paradise Road, in the City of Hamilton, as described in Schedule "A" herein, for the sum of THIRTY-TWO THOUSAND, FIVE HUNDRED & FIFTY-SEVEN DOLLARS ($32,557.00), all in accordance with and subject to the terms and conditions of an Agreement, dated November 3, 1983, between The Corporation of the City of Hamilton and 511339 Ontario Limited.

2. If the abutting owner mentioned in the above paragraph number 1 does not purchase the said portion of highway within the said period of sixty (60) days after the enactment of this by-law, or May 31, 1984, whichever shall be later, or such period as may be fixed by a subsequent by-law, the sale thereof may be authorized to any other person at the same or a greater price.

PASSED this 26th day of June, A.D. 1984.

City Clerk Mayor

(1983) 21 R.T.E.C. 3, November 29

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of the road allowance between Lots 20 and 21, Concession 3, geographic Township of Barton, now closed by City of Hamilton By-law No. 9555, dated January 9, 1962, and registered in the Land Registry Office for the Registry Division of Wentworth as Instrument No. 187131 H.L. and described as Parts 1 and 2, according to a Reference Plan deposited in the said Land Registry Office as Plan 62R-6882.

Bill No. A-32

By-law No. 84 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 31 (School Bus Loading Zones) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding thereto the following item, namely:-

"Macklin	East	120 feet	commencing at a point 843 feet north of Dufferin	7:00 a.m. - 6:00 p.m. Mon. - Sat."

2. Schedule 37 (Snow Routes) is hereby amended by deleting theretom the following item, namely:-

"Dundonald	Rosedale	Cochrane".

and by adding thereto the following items, namely:-

"Rosedale	Dundonald	Greenhill
Greenhill	Rosedale	Cochrane
Cochrane	Greenhill	Dundonald".

PASSED this day of , A.D. 1984.

City Clerk Mayor

(1984) 12 R.T.E.C. 36, June 26

Bill No. A-33

By-law No. 84 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 25A (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding thereto the following sub-section, namely:-

"17. One Hour Limit, between the hours of 7:00 in the forenoon and 4:00 in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

STREET	SIDE	LOCATION
East 31st	East	commencing 121 feet south of Concession to Crockett
East 31st	West	commencing 118 feet south of Concession to Crockett".

2. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following item, namely:-

"Herkimer	South	commencing at a point 200 feet west of Park to a point 30 feet westerly therefrom".

and by adding thereto the following item, namely:-

"Herkimer	South	commencing at a point 200 feet west of Park to a point 45 feet westerly therefrom".

3. Schedule 26A (No Parking Anytime) is hereby amended by deleting from Section A (No Parking 7:00 a.m. - 6:00 p.m.) the following item, namely:-

"Nelson	South	from 50 ft. west of Pearl to 210 ft. west of Pearl".

and by adding thereto the following item, namely:-

"Nelson	South	Pearl to 104 feet west".

4. Schedule 27A (Alternate Side Parking) is hereby amended by deleting therefrom the following item, namely:-

"Roxborough Avenue 98 feet west of Crosthwaite Avenue to Strathearne Avenue	South	North".

and by adding thereto the following items, namely:-

"Roxborough Avenue 98 feet west of Crosthwaite to Tragina	South	North
Roxborough Avenue Weir to Strathearne	South	North".

PASSED this day of , A.D. 1984.

City Clerk

Mayor

(1984) 12 R.T.E.C. 36, June 26

The Corporation of the City of Hamilton

BY-LAW No. 84-

To Authorize the Borrowing of $3,000,000.00 to Finance Bank Overdrafts as and when They Arise from Current Expenditures

Whereas the Council of The Corporation of the City of Hamilton (hereinafter called the "Municipality") deems it necessary to borrow the sum of $3,000,000.00 or lesser amount to pay for temporary bank overdrafts as and when arise in relation to the current expenditures of the Municipality for the year;

And Whereas the total amount of the estimated revenues of the Municipality as set forth in the estimates adopted for the year 1984, is $107,646,290.00.

And Whereas the total of amounts heretofore borrowed for the purposes mentioned in Subsection (1) of Section 189 of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, which have not been repaid is $3,000,000.00.

Therefore the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. The Mayor and the Treasurer are hereby authorized on behalf of the Municipality to borrow from time to time by way of promissory note from CANADIAN IMPERIAL BANK OF COMMERCE a sum or sums not exceeding the aggregate $3,000,000.00 to pay off temporary bank overdrafts for the current expenditures of the Municipality for the year, including the amounts required for the purposes mentioned in Subsection (1) of Section 189 of the Municipal Act, and to give on behalf of the Municipality to the Bank a promissory note or notes sealed with the Corporate Seal and signed by the Mayor and Treasurer for the moneys so borrowed, with interest at such rate as may be agreed upon from time to time with the Bank.

2. All sums borrowed pursuant to the authority of this by-law, as well as all other sums borrowed in this year and in previous years from the said Bank for any or all of the purposes mentioned in the said Section 189, shall, with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year and for all preceding years as and when such revenues are received.

3. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest thereon, all of the moneys hereafter collected or received either on account or realized in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for such purpose.

PASSED this day of A.D. 1984

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Adopt:

Official Plan Amendment No. 20

Respecting:

LAND LOCATED ON THE WEST SIDE OF GRAYS ROAD,
IN THE AREA NORTH OF THE QUEEN ELIZABETH WAY

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 20 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 9 R.P.D.C. 4(a)(i), May 8
305308 Ontario Inc.,
Murray Van Der Marel, Prospective Owner
ZA-83-67

AMENDMENT NO. 20 TO THE CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "A" hereto, constitute Amendment No. 20.

PURPOSE

To delete an "Open Space" designation and substitute a "Residential" designation for those lands shown on the attached Schedule "A".

LOCATION

The subject lands are located on the west side of Grays Road, north of the Queen Elizabeth Way.

BASIS

This amendment will permit large-lot single-family development on the subject lands. The amendment can be supported on the basis that the large lots will be compatible with adjacent uses (Confederation Park and single-family dwellings). Since the subject lands are not intended to be acquired for parks purposes, their development for residential uses is considered appropriate.

ACTUAL CHANGE

Schedule "A" of the Official Plan (Land Use Concept) be amended by redesignating the subject lands from "Open Space" to "Residential" as shown in red on the attached Schedule "A" to this Amendment.

IMPLEMENTATION

A restricted area by-law will give effect to the intended use of the subject lands.

Bill No.

This is Schedule 1 to By-law No. 84- , passed on the day of , A.D. 1984.

THE CORPORATION OF THE
CITY OF HAMILTON

City Clerk

Mayor

schedule A
amendment no. 20

to the
official plan
for the
city of hamilton

legend

area to be changed from open space to residential

date	drawn by	reference file no
may 1984		P6 2-20

land use concept

legend

DEFERRED NO D 1 UNDER SECTION 11(3) OF THE PLANNING ACT

schedule A

to the official plan for the city of hamilton

J-32

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE NORTH SIDE OF KING STREET EAST AND EAST OF NASH ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by the Minister under The Planning Act, 1983 at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "AA" (Agricultural) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding clause 4(3)(a) of By-law No. 6593, the dwellings located on the land on the date of the passing of this by-law, are permitted;

(b) subclause 8(1)(iii)(a) of By-law No. 6593, shall not apply;

(c) notwithstanding subclause 8(1)(iii)(d) and subsection 8(3) of By-law No. 6593, a yard having a width of at least 18.3 m. shall be provided and maintained along the westerly lot line extending 155.0 m. from the intersection of the lot line and King Street East.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-867".

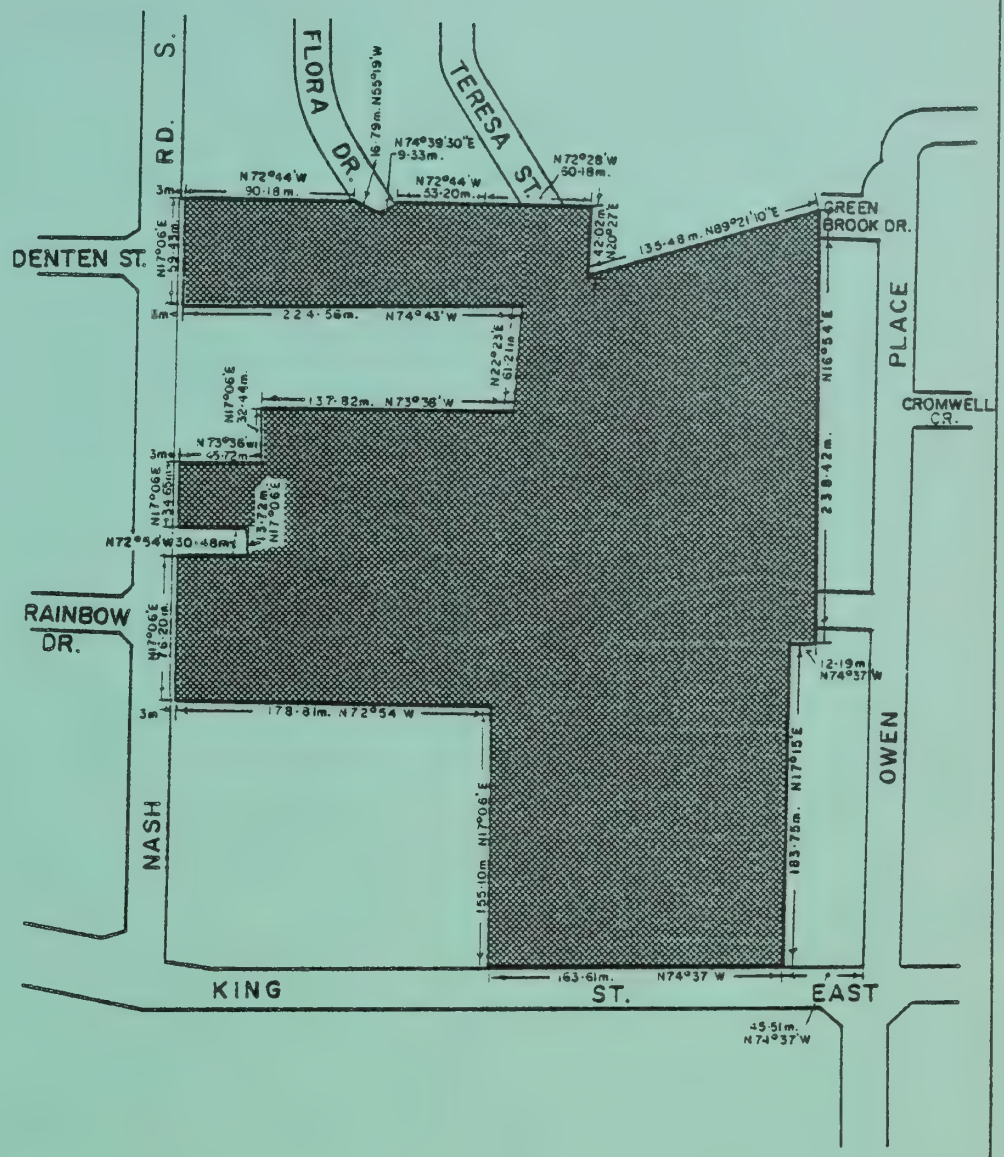
4. Sheet No. E-106 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-867".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 8 R.P.D.C. 5(b), April 24
The Sisters of St. Joseph of
the Diocese of Hamilton,
Prospective Owner
ZA-84-07



THIS IS SCHEDULE "A" TO BY-LAW NO. 84 -
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY - LAW NO. 84
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton - Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY-LAW NO. 84-

North	Scale	Reference File No.
	N. T. S.	ZA 84-07
	Date	Drawing No.
	APR 25, 1984	

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Adopt:

Official Plan Amendment No. 19

Respecting:

LAND LOCATED ON THE SOUTH-WEST CORNER OF CLINE AVENUE SOUTH AND MAIN STREET WEST, AND KNOWN MUNICIPALLY AS 1117 MAIN STREET WEST

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 19 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of A.D. 1984.

City Clerk

Mayor

(1984) 9 R.P.D.C. 3(b)(i), May 8
Sonya Shekter, Owner
ZA-84-21

AMENDMENT NO. 19 TO THE CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "B" hereto, constitute Amendment No. 19.

PURPOSE

To establish a site specific policy to permit an existing parking area and a pylon sign on lands designated "Residential".

LOCATION

The subject lands are located on the south-west corner of Cline Avenue South and Main Street West, and known municipally as 1117 Main Street West.

BASIS

This amendment can be supported on the basis that:

- the parking area has been used for a number of years with no apparent impact on surrounding uses;
- the parking area is located on a busy arterial road;
- the parking area serves a medical office at 1100 Main Street West (north side of Main Street West), thereby alleviating on-street parking demand; and
- the existing pylon sign would not appear to have negative effect on surrounding uses.

ACTUAL CHANGES

i) The following new policy be added to Subsection A.2.9.3, OTHER POLICY AREAS, as Policy A.2.9.3.22:

"A.2.9.3.22 Notwithstanding the permitted uses as set out in Subsection A.2.1, RESIDENTIAL USES, for those lands shown on Schedule "B" as SPECIAL POLICY AREA 27, and known municipally as 1117 Main Street West, an existing parking area and a pylon sign will be permitted."

ii) The following be added to Schedule "B", Special Policy Areas:

a) Special Policy Area "27" on the map portion of Schedule B; and

b) "Area 27, refer to Policy A.2.9.3.22" in regard to Schedule "B".

IMPLEMENTATION

A restricted area by-law will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No. 84- , passed on the day of , A.D. 1984.

Bill No.

THE CORPORATION OF THE
CITY OF HAMILTON

City Clerk

Mayor

schedule B
amendment no.19

to the
official plan
for the
city of hamilton

legend
special policy area 27
refer to policy 2.9.3.22

date	drawn by	reference file no
may 1984		P6-2-19

special policy areas

legend

special policy areas

Area 1 (a) refer to Subsection A.2.9.1.
Area 1 (b) " " " A.2.9.1.
Area 2 " " " A.2.9.2.
Area 3 " " " A.2.9.3, policy 2.9.3.1
Area 4 " " Policy 2.9.3.2.
Area 5 " " " 2.9.3.3.
Area 6 " " " 2.9.3.4.
Area 7 " " " 2.9.3.5.
Area 8 " " " 2.9.3.6.
Area 9 " " " 2.9.3.7.
Area 10 " " " 2.9.3.8.
Area 11 " " " 2.9.3.9."

Refer to Schedule B-1 for Special Policy Areas in the Downtown

schedule B

to the official plan
for
the city of hamilton

may 1982

Bill No. D-79

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE EAST SIDE OF UPPER WENTWORTH STREET AND NORTH OF STONE CHURCH ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-27C of the District Maps, appended to and forming part of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), is amended,

(a) by changing from **"RT-10"** (Townhouse) district to **"R-4"** (Small Lot Single-Family Detached) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 9 R.P.D.C. 2, May 8
Benemar Construction Inc.,
Prospective Owner
ZA-84-17

THIS IS SCHEDULE "A" TO BY-LAW NO. 84 -
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 84-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "RT-10" (TOWN-HOUSE) DISTRICT TO "R-4" (SMALL LOT SINGLE-FAMILY DETACHED) DISTRICT

North	Scale	Reference File No.
	1:2000	ZA 84-17
	Date MAY 10, 1984	Drawing No.

Bill No. D-80

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Adopt:

Official Plan Amendment No. 21

Respecting:

LANDS LOCATED ON THE SOUTH SIDE OF BARTON STREET EAST, WEST OF WENTWORTH STREET SOUTH, KNOWN MUNICIPALLY AS 448 BARTON STREET EAST

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 21 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of A.D. 1984.

City Clerk

Mayor

(1984) 12 R.T.E.C. 7(a), June 26

AMENDMENT NO. 21 TO THE
CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "B-1" constitute Amendment No. 21.

PURPOSE

To establish a site specific policy to permit the manufacturing of clothing on lands designated "Commercial" on Schedule "A" of the Official Plan.

LOCATION

The subject lands are located on the south side of Barton Street East, west of Wentworth St. South, known municipally as 448 Barton St. East.

BASIS

This amendment can be supported on the following basis:

- It makes use of a large vacant one floor building which is suitable for manufacturing purposes;
- Clothing manufacturing is environmentally compatible use next to commercial and residential uses, and;
- It provides expanded employment for an exsisting industrial use.

ACTUAL CHANGES

The Official Plan is hereby amended as follows:

i) The following new policy can be added to Subsection A.2.9.3, OTHER POLICY AREAS, as Policy A.2.9.3.23:

"A.2.9.3.23 Notwithstanding the permitted uses as set out in Subsection A.2.2. COMMERCIAL USES, for those lands shown on Schedule B-1, as SPECIAL POLICY AREA 28, and known municipally as 448 Barton Street East, the manufacturing of clothing will be permitted."

ii) The following be added to Schedule B-1 (Other Policy Areas)

- Special Policy Area 28, and
- "Area 28, refer to Policy A.2.9.3.23",

All as shown on the attached Schedule B-1 to this Amendment.

IMPLEMENTATION

The restricted area by-law will give effect to the intended use of the subject lands.

BILL NO:

This is Schedule 1 to By-Law No. 84- passed on the day of , A.D. 1984.

THE CORPORATION OF THE
CITY OF HAMILTON

City Clerk

Mayor

J-47

other special policy areas

legend

- 12 refer to policy 29.310
- 13 refer to policy 29.311
- 14 refer to policy 29.312
- 15 refer to policy 29.313

Schedule B - 1
Amendment No. 21
to the official plan
for the
city of hamilton

legend

add the subject lands as special policy area 28

schedule B-1

to the official plan
for
the city of hamilton

may 1982

Bill No. D-81

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1117 MAIN STREET WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 9(1) of By-law No. 6593, the parking area and pylon sign in existence on the day of the passing of this by-law, are not prohibited;

(b) section 18A of By-law No. 6593 shall not apply;

(c) a visual barrier not less than 1.2 m. and not more than 2.0 m. in height shall be provided and maintained along the westerly lot line;

(d) where illumination is provided for the parking area, the illumination shall be directed towards or on the lot on which the parking area is located and away from,

(i) any adjacent use;

(ii) any highway.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-870".

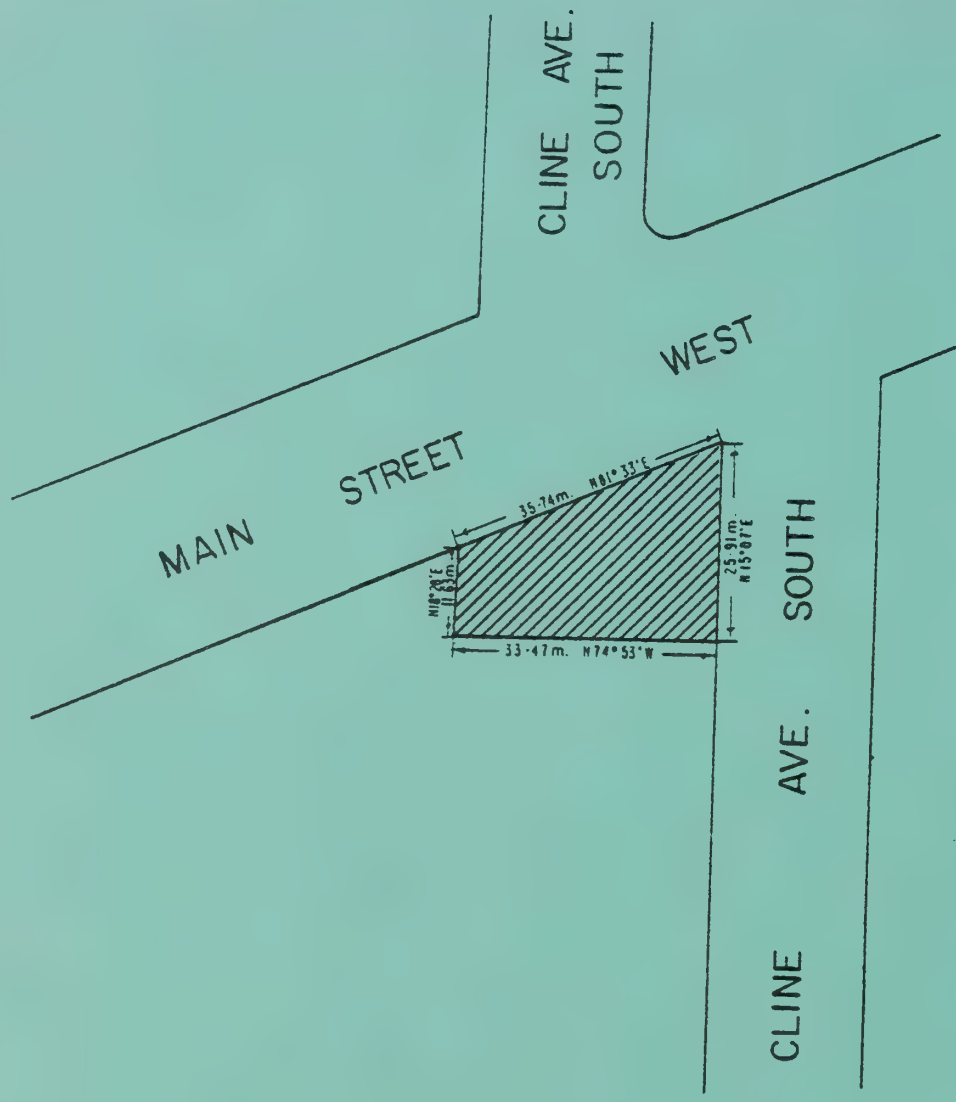
4. Sheet No. W-34 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-870".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 9 R.P.D.C. 3(b), May 8
Sonya Shekter, Owner
ZA-84-21



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO.84-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY-LAW NO. 84-

North	Scale	Reference File No.
	1:750	ZA 84-21
	Date	Drawing No.
	MAY 9, 1984	

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF GRAYS ROAD, IN THE AREA NORTH OF THE QUEEN ELIZABETH WAY

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act, 1983, at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-121 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from **"AA"** (Agricultural) district, to **"B-1"** (Suburban Agriculture and Residential, etc.) district, the land comprised in Block 1, and

(b) by changing from **"AA"** (Agricultural) district, to **"C"** (Urban Protected Residential, etc.) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The "B-1" (Suburban Agriculture and Residential, etc.) district and "C" (Urban Protected Residential, etc.) district provisions applicable to the lands referred to in section 1(a) are amended to the extent only of the special requirements that,

(a) as to the land comprised in Block 1, except for erosion control or shoreline protection structures, no building or structure shall be situated less than 15 m. from the northerly property line adjacent to the Lake Ontario shoreline;

(b) as to the land comprised in Block 2, notwithstanding subsection 9(4) of By-law No. 6593, each lot shall have a width of at least 17.6 m. and an area of at least 539 m^2 within the district;

(c) as to the land comprised in Blocks 1 and 2, a planting strip not less than 3.0 m. wide shall be provided and maintained,

(i) along the westerly and southerly property lines of Block 1 adjacent to Confederation Park;

(ii) along the southerly property line of Block 2 adjacent to Confederation Park.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B-1" and "C" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-872".

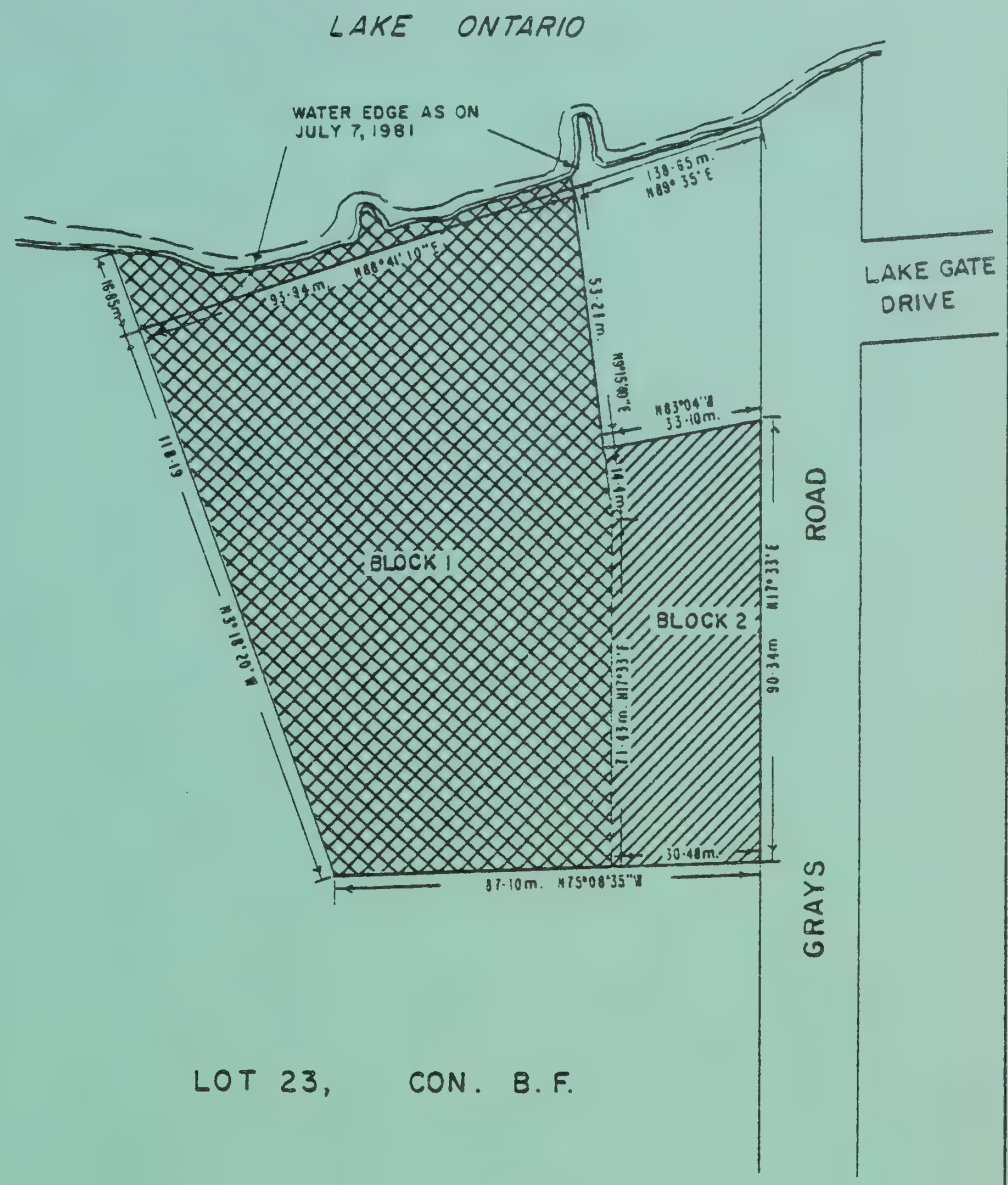
5. Sheet No. E-121 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-872".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 9 R.P.D.C. 4,May 8
305308 Ontario Inc.,
Murray Van Der Marel,
Prospective Owner
ZA-83-67



THIS IS SCHEDULE "A" TO BY-LAW NO. 84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 84-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND:
CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO:

BLOCK 1 "B-1" (SUBURBAN AGRICULTURE AND RESIDENTIAL, ETC.) DISTRICT.

BLOCK 2 "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT - MODIFIED.

North	Scale	Reference File No.
	1:1200	ZA 83-67
	Date MAY 3, 1984	Drawing No.

Bill No. D-83

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE NORTH-EAST CORNER OF UPPER WENTWORTH STREET AND LIMERIDGE ROAD EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "AA" (Agricultural) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

   (a) notwithstanding section 7A of By-law No. 6593, the temporary use of the land for the parking of automobiles thereon is hereby authorized for a period not exceeding three years from the day of the passing of this by-law.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-675b".

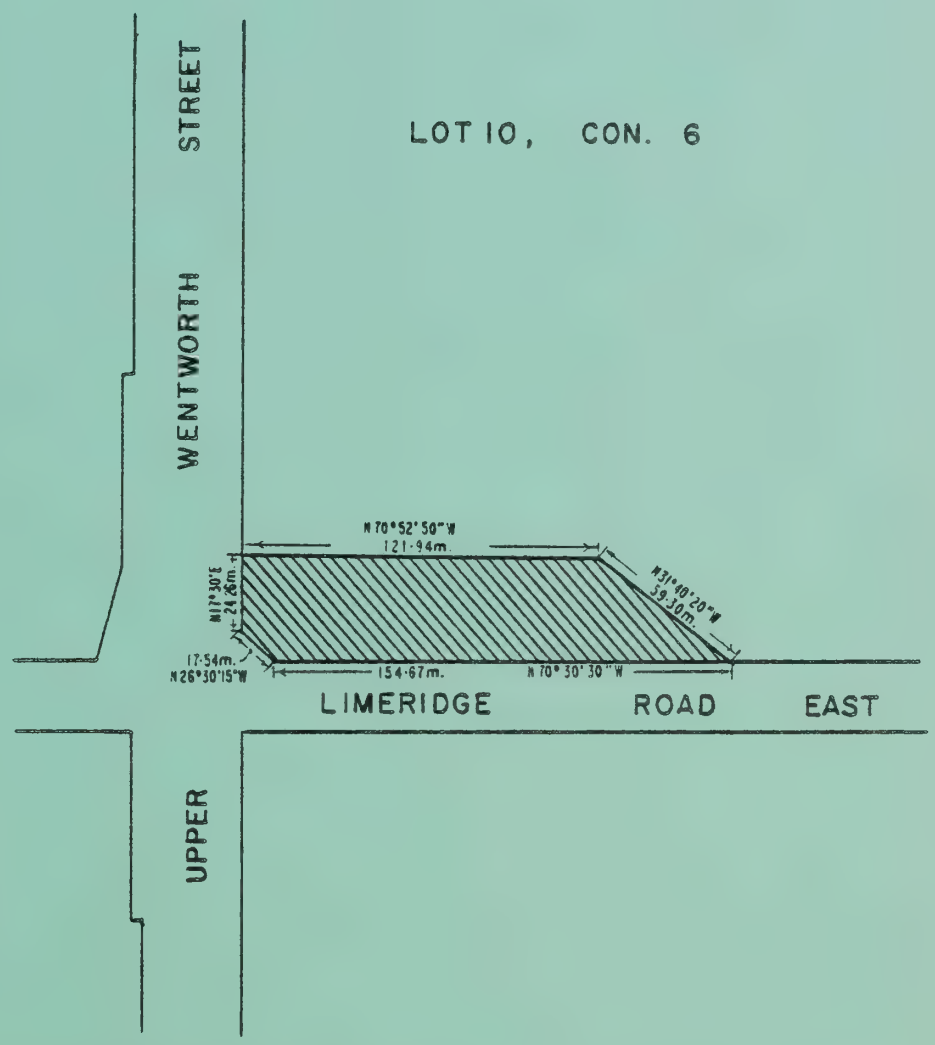
4. Sheet No. E-27A of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-675b".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 9 R.P.D.C. 1, May 8
The Cadillac Fairview Corporation Limited, Lessee
ZA-84-16



THIS IS SCHEDULE "A" TO BY-LAW NO. 84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 84-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY-LAW NO. 84-

North	Scale	Reference File No.
	1 : 2000	ZA 84-16
	Date	Drawing No.
	MAY 10, 1984	

Bill No. D-84

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 448 BARTON STREET EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under The Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The **"H"** (Community Shopping and Commercial, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 14(1) of By-law No. 6593, the following,

(i) **INDUSTRIAL USE** shall not be prohibited:

1. The manufacture of clothing.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-873".

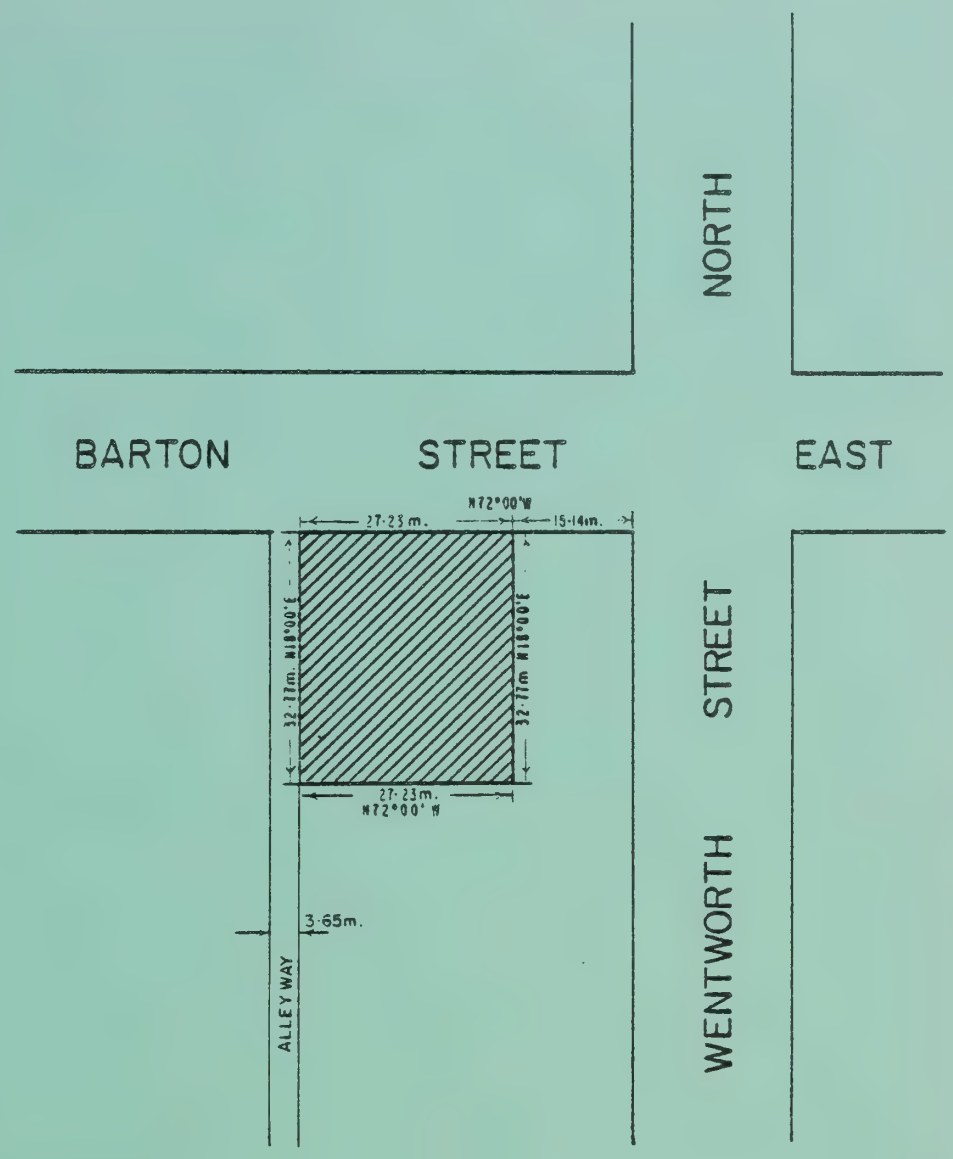
4. Sheet No. E-12 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-873".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 12 R.P.D.C. 7, June 26
B. Bombardieri, Prospective Owner
ZA-84-25



THIS IS SCHEDULE "A" TO BY-LAW NO. 84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 84-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

LANDS TO BE REGULATED BY BY-LAW NO. 84-

North	Scale	Reference File No.
	1 : 750	ZA84-25
	Date	Drawing No.
	JUNE 7, 1984	

Bill No. D-85

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 57 WOODBINE CRESCENT AND LAND LOCATED ON THE WEST SIDE OF DUNDURN STREET NORTH, BETWEEN WOODBINE CRESCENT AND JONES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-21 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district to "H" (Community Shopping and Commercial, etc.) district, the land comprised in Block 1,

the extent and boundaries of which Block 1 are shown on a plan hereto annexed as schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the land referred to in section 1, and the land comprised in Block 2 shown on the said schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding subsection 14(1) of By-law No. 6593, the following,

(i) **RESIDENTIAL USES** shall not be prohibited:

1. A hotel, motel, motor hotel, motorcourt;

(b) clause 4(f) of Table 1 of clause 18A(1)(a) of By-law No. 6593 shall not apply;

(c) clause 18A(11)(a) and subsection 18A(12) of By-law No. 6593 shall not apply;

(d) section 18A(36) of By-law No. 6593 shall not apply;

(e) section 7 of By-law No. 76-233 shall not apply.

3. The "H" District provisions applicable to the land shown as Block 3 on schedule "A" hereto annexed, are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 14(1) of By-law No. 6593, the erection of a building on Block 3 shall be prohibited.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall the land comprised in Blocks 1 and 2 shown on schedule "A" be used, except in accordance with the "H" District provisions, subject to the specific requirements referred to in sections 2 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as "S-863".

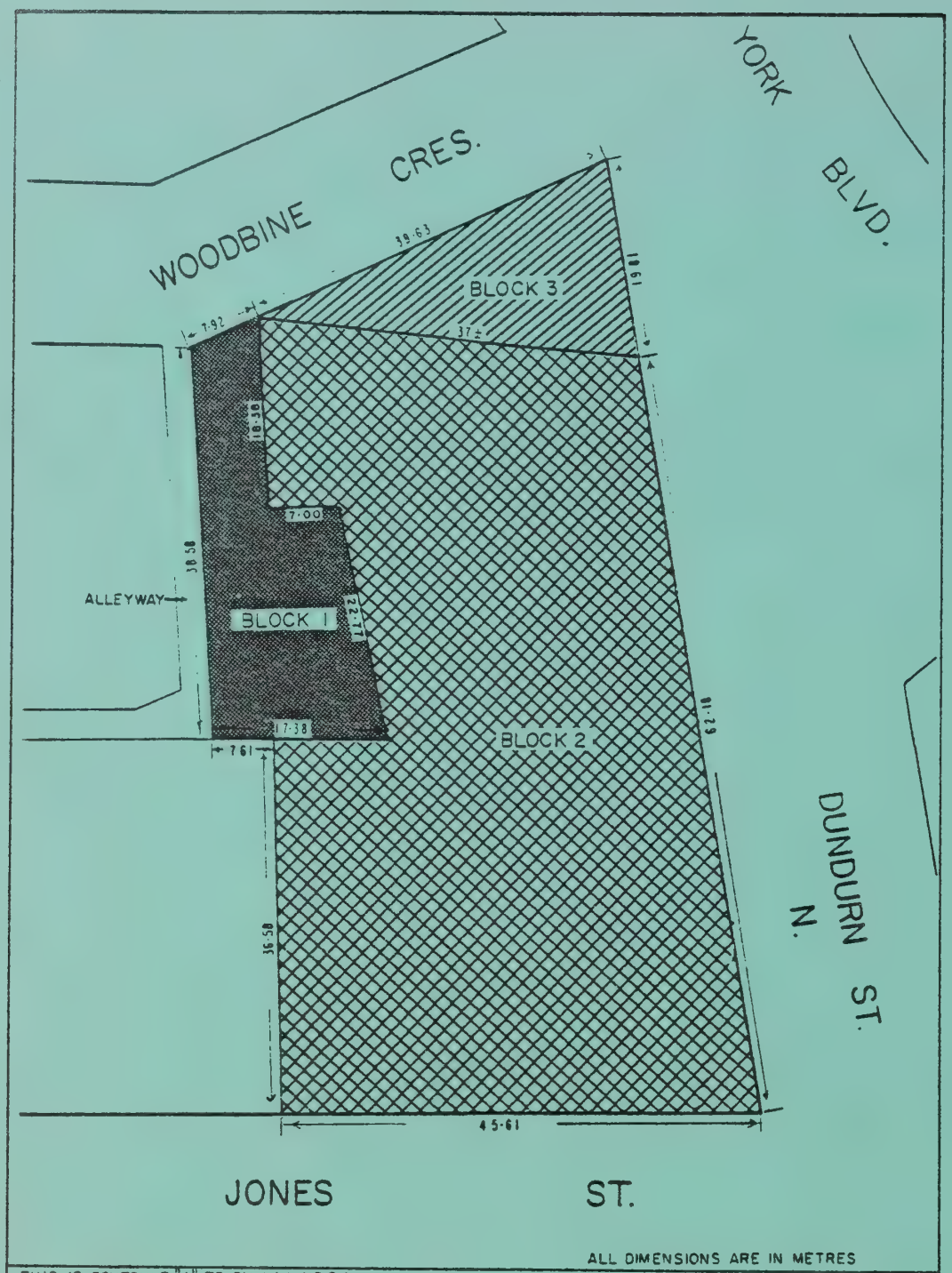
6. Sheet No. W-21 of the District Maps, is amended by marking the lands referred to in sections 1, 2 and 3 of this by-law, "S-863".

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 12 R.P.D.C. 6, June 26
Z. Brabric, Prospective Owner
ZA-84-33



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 84
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 84-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

BLOCK 1 — CHANGE IN ZONING FROM "D" (URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS, ETC.) DISTICT TO "H" (COMMUNITY SHOPPING AND COMMERCIAL, ETC.) DISTRICT.

BLOCK 1 BLOCK 2 BLOCK 3 — LANDS TO BE REGULATED BY BY-LAW NO. 84-

North	Scale	Reference File No.
	1 : 500	ZA 84-33
	Date	Drawing No.
	JUNE 12, 1984	

Bill No. D-86

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS BOUNDED BY QUEEN, PETER, HESS AND NAPIER STREETS

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-4 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from **"E-3"** (High Density Multiple Dwellings) district, to **"CR-3"** (Commercial-Residential) district, the lands,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "CR-3" (Commercial-Residential) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

(a) notwithstanding subsections 15B(3) and (4) of By-law No. 6593, no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used except for the following uses:

1. A residential use mentioned in clause 15B(3)(a); or

2. A residential use mentioned in clause 15B(3)(a) contained jointly in the same building or structure with commercial, institutional or public uses mentioned in clauses (b), (c), and (d), respectively, of subsection 15B(3);

3. A public parking lot mentioned in paragraph 23 of clause 15B (3)(b) of By-law No. 6593;

(b) notwithstanding subsection 15B(17) of By-law No. 6593, a building or structure comprised of a joint residential and commercial, institutional or public use shall have a gross floor area of not more than the product of the area of the lot multiplied by the floor ratio factor of 8.0 subject to the following limitations:

1. Where the residential portion of a joint use building is not a multiple dwelling, the residential portion of a joint use building shall not exceed a floor area ratio factor of 2.85.

2. Where the residential portion of a joint use building is a multiple dwelling, the number of dwelling units shall not exceed 469 dwelling units per hectare of lot area;

(c) notwithstanding subsection 15B(17) of By-law No. 6593, a building or structure,

(i) comprised wholly of a residential use other than a multiple dwelling, shall have a gross floor area of not more than the product of the area of the lot multiplied by the floor area ratio factor of 2.85;

(ii) comprised wholly of a residential use that is a multiple dwelling, the number of dwelling units shall not exceed 469 dwelling units per hectare of lot area.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "CR-3" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-871".

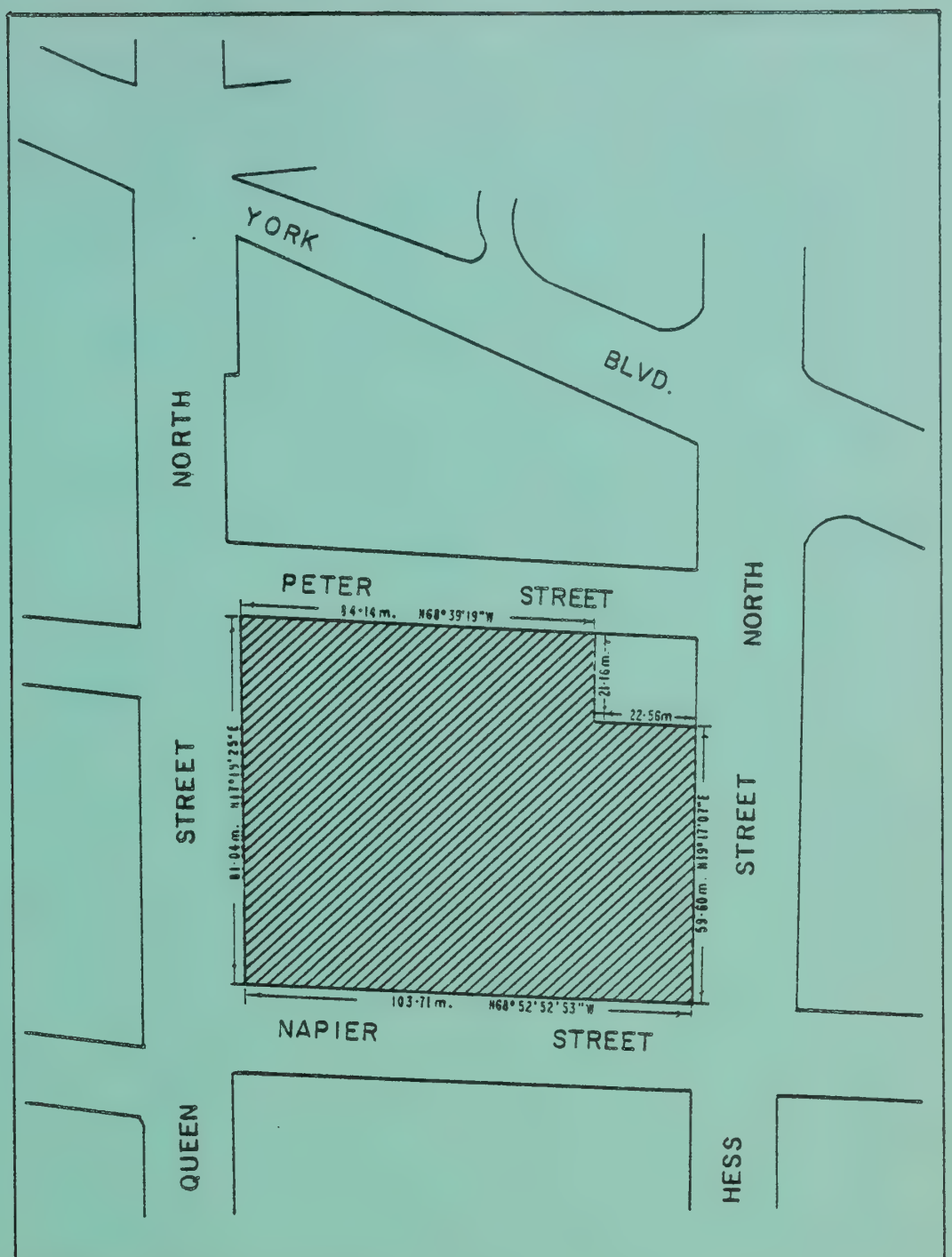
5. Sheet No. W-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-871".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 9 R.P.D.C. 5, May 8
City Initiative 84-D



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.84-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "E-3" (HIGH DENSITY MULTIPLE DWELLINGS DISTRICT TO "CR-3" (COMMERCIAL-RESIDENTIAL) DISTRICT.

North	Scale	Reference File No.
	1:1200	C.I. 84-0
	Date	Drawing No.
	MAY 4, 1984	

Bill No. D-87

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE EAST SIDE OF MOUNT ALBION ROAD, IN THE AREA NORTH OF GREENHILL AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-87 and E-88 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

(a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and

(b) by changing from "AA" (Agricultural) district to "DE-3" (Multiple Dwellings) district, the land comprised in Block 2; and

(c) by changing from "AA" (Agricultural) district to "A" (Conservation, Open Space, Park and Recreation) district, and land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as schedule "A".

2. The "C" (Urban Protected Residential, etc.) district provisions and the "DE-3" (Multiple Dwellings) district provisions applicable to the lands referred to in section 1, are amended to the extent only of the special requirements that,

(a) as to the "C" District provisions, applicable to Block 1, notwithstanding clauses 9(3)(ii) and 9(3)(iii) of By-law No. 6593, no building or structure, except a fence, shall be situate less than 7.6 metres from the boundary of the lands shown on schedule "A" as Block 3;

(b) as to the "DE-3" District provisions applicable to Block 2,

(i) the density of a multiple family dwelling shall not exceed 138 dwelling units;

(ii) notwithstanding clauses 10C(3)(ii) and 10C(3)(iii) of By-law No. 6593, no building or structure, except a fence, shall be situate less than 7.6 metres from the boundary of the lands shown on schedule "A" as Block 3.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" and "DE-3" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-865".

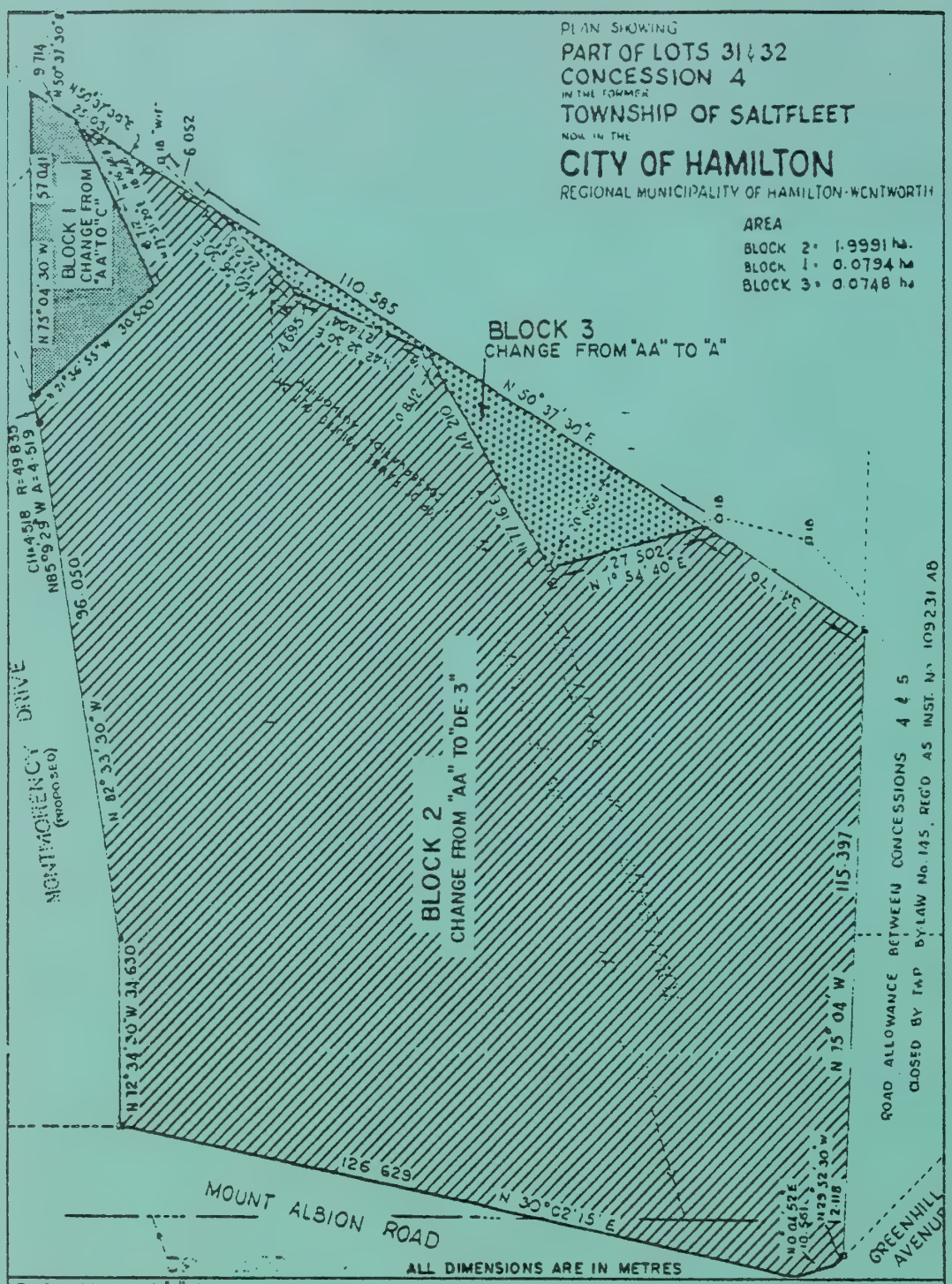
5. Sheets No. E-87 and E-88 of the District Maps are amended by marking the lands referred to in subsections 1(a) and 1(b) of this by-law, "S-865".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 6 R.P.D.C. 4, April 10
McNally Bros. (1965) Limited, Owner
ZA-84-02



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 84-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "AA (Agricultural) DISTRICT TO:

BLOCK 1 "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT

BLOCK 2 "DE-3" (MULTIPLE DWELLINGS) DISTRICT

BLOCK 3 "A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT

North	Scale	Reference File No.
	1 : 1000	ZA 84-02
	Date	Drawing No.
	JUNE 15, 1984	

Bill No. D-88

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

COMMERCIAL USES
(Radio Broadcasting Station)

WHEREAS General Zoning By-law No. 6593 was passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS it is intended to provide for a general amendment to the "H" (Community Shopping and Commercial, etc.) district of the said by-law so as not to prohibit a radio broadcasting station;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause 14(1)(X) of By-law No. 6593 is amended by adding at the end thereof ", a radio broadcasting station, with or without a studio or theatre".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 10 R.P.D.C. 1, May 29
A. Vesprini Construction
(A Division of 482748 Ontario Incorporated),
Owner
ZA-84-29

Bill No. D-89

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Repeal:

By-law No. 83-187

Respecting:

LAND LOCATED AT MUNICIPAL NO. 12 WHITFIELD AVENUE

WHEREAS By-law No. 83-187, passed on the 29th day of June, 1983, authorized the demolition and clearing of buildings, structures, debris or refuse on land at No. 12 Whitfield Avenue;

AND WHEREAS demolition of the buildings and structures has been completed and the land cleared;

AND WHEREAS the authority in the said by-law is no longer necessary.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 83-187 is repealed.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 12 R.P.D.C. 12, June 26

Bill No. D-90

BY-LAW NO. 84 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 26th DAY OF June, A.D., 1984.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 26th day of June, A.D. 1984

City Clerk Mayor

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, July 31, 1984
7:30 o'clock p.m.
Council Chambers
City Hall

A G E N D A

1. Prayer

2. Presentation of Civic Awards - St. Margaret Mary Midget Volleyball Team.

3. Letter from John L. Agro, Chairman, Hamilton Harbour Commissioners re Harbour Zoning. (Distributed 1984, July 23)

4. Minutes of Previous Meeting held May 29, 1984

5. Reports of Standing Committees - attached

   A Transport and Environment Committee
   B Parks and Recreation Committee
   C Finance Committee
   D Planning and Development Committee
   E Legislation Committee
   F Personnel Committee
   G Licensing Committee

6. Consideration of Notice of Motion from previous meeting -

7. Notices of Motion for next meeting

8. First reading of Bills

9. Second reading of Bills - Committee of the Whole

10. Third reading of Bills

11. Question period

12. Adjournment

TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **THIRTEENTH** Report for 1984 and respectfully recommends:

1. That the City accept, on terms and conditions satisfactory to the City Solicitor, a **conveyance of Part 1 on Plan Y-19086, which part is to be incorporated into Ottaviano Drive.** (Ottaviano Drive will be established by a proposed plan of subdivision to be known as "Rymal Survey Addition".)

   NOTE: The developer, Spadar Developments Ltd., has proposed a plan of subdivision to be known as "Rymal Survey Addition". All plans of subdivision must be registered in the Land Titles System of land registration. Because part of the land comprising the proposed Ottaviano Drive is not in the Land Titles System, it is necessary to proceed with the establishment of Ottaviano Drive in this manner.

2. That **Walter's Welding and Iron Works be hired** to:

   i. Replace the duct enclosure for the **salt elevator for the Silos at the Ferguson Avenue Yard,** in accordance with the specifications issued by the Regional Engineer, at a price of $29 663 (all taxes included),

   ii. Replace the existing very steep steel stairs to the salt Silos at Ferguson Yard, in accordance with specifications issued by the Regional Engineer, at a cost of $19 380 (all taxes included).

3. That an **Option to Purchase a parcel of land at 11 Caroline Street North,** duly executed by Nicholas and Mary Vukmanich on June 18th, 1984 and scheduled to close on or before September 6th, 1984 **be completed.**

   NOTE: This property having a total area of 23.4 square metres (252 sq.ft.) is required by the City in order to provide a 10' wide alley north of King Street West running from Hess to Caroline Streets. The purchase price of $5 732 in accordance with Schedule "A" is to be charged to account 0280-02.

4. That the property at **14 Richmond Street be rented back to the former owners, Mr. and Mrs. Frederich Thompson** from July 31 to August 7, 1984 at a one time rental charge of $1.00 and that the Mayor and City Clerk be authorized to execute the Tenancy Agreement.

   NOTE: The Public Works Department is commencing construction of its new Works Depot on Beddoe Drive which is expected to be completed in September-October of this year. Upon vacating the Hill Street Yard at the time, the site would become a surplus City property and it is planned that the site be disposed of as a townhouse development. The property at 14 Richmond Street is bounded on three sides by the Hill Street Yard. The purchase of this property will enable the City to widen Richmond Street to 50 feet and include the remaining lands in the proposed townhouse development.

5. That an **Agreement to Accept Compensation for the land and buildings of Murray Rosenblood** duly executed on June 7th, 1984 and scheduled for closing on August 10, 1984, **be completed.**

   NOTE: The property which was required for the York Street Widening, was expropriated under Instrument No. 37350 AB registered May 15, 1975, comprises an area of 6 891 sq.ft. and is known as Municipal Number 485 York Street, Hamilton.

   The full and final compensation payment is $43 992.50, the cost of which will be charged to account 0408-311506.

6. That the Director of Real Estate be authorized to retain the **services of an independent fee appraiser and consulting engineer** to prepare an appraisal of market value and a development feasibility study in connection with the anticipated expropriation by the Ministry of Transportation and Communications of approximately 7 acres of City of Hamilton lands in the vicinity of **Woodward Avenue and the Queen Elizabeth Way.**

   NOTE: The fees incurred for such services, estimated to be $5 000, are to be reimbursed by M.T.C. pursuant to the Expropriations Act upon final settlement of compensation. This is to be charged to account 0280-02.

7. That:

   i. The City owned land at **979 Queenston Road in Stoney Creek be leased to Mr. Anthony Semens** for the period December 7, 1984 to December 14, 1984 at a rental of $270 (including realty taxes).

   ii. The City Solicitor be authorized to prepare the necessary lease.

   NOTE: Mr. Semens is to provide liability insurance and be responsible for all licences and business taxes. The applicant to deposit with the City the sum of $500 as a guarantee for cleanup and repair of any damage which may be done to the lands.

8. That:

   i. The **land lease between the City and Canadian Warplane Heritage Inc.** commencing May 1, 1984 and terminating April 30, 1985 covering the use of 30 acres of land at Hamilton Civic Airport to be used for parking purposes during the 1984 Airshow weekend, June 15th to June 18th at an annual rental of $300 plus taxes **be rescinded,**

   ii. A lease with Canadian Warplane Heritage Inc. be approved commencing May 1st to November 29th, 1984 for the use of 30 acres of land for Airshow parking during the June 15th, 1984 weekend at a rental of $174 plus taxes, and

   iii. The Treasury Department be authorized to refund 42% of the rent paid.

NOTE: It is further understood that this annual lease can be cancelled by a 30 day notice should the City of Hamilton or Transport Canada require all or part of the lands for Airport purposes.

The change in the lease period was necessary as the City's head lease with the Crown expires on November 30, 1984.

9. That an **Offer to Purchase the lands** of The Corporation of the City of Hamilton duly executed on July 13, 1984 **by the purchaser, Mohawk Paradise Development Limited,** and scheduled for closing on or before August 13, 1984 be completed, for the sum of $1.00.

NOTE: The property is composed of a one foot reserve fronting on the western limit of Magnolia Drive, having a frontage of 292 feet (more or less) and more particularly described as Part of Block "B", Plan M-71 (Parts 11, 12 & 13 on a plan dated June 20, 1984 prepared by Ashenhurst Nouwens Ltd.).

10. That:

i. A portion of land measuring 6.096m x 45.72m (20' x 150' more or less), comprising a total area of 3,000 sq.ft. of **City owned property at 240 Burlington Street East be leased to Ippolito Fruit and Produce Limited,** for parking purposes and containment of a sawdust conveyor located thereon.

ii. The City Solicitor be directed to prepare the necessary lease in this regard and that the Mayor and City Clerk be authorized to execute the lease on behalf of the City.

NOTE: (a) Said lease to be an annual lease, effective August 1, 1984, and subject to termination by either party on ninety days written notice, in which event the rent shall be pro-rated to the lease term in force.

(b) Rent in the amount of $300 per annum shall be payable in advance commencing August 1, 1984 plus taxes as assessed from time to time.

(c) The Tenant agrees to provide and erect a fence, at his expense, easterly from the north west corner of the leased land for a minimum distance of 13.72m (45' more or less), and southerly from said corner, beyond the leased land to the tenant's existing buildings, a distance of approximately 40 feet. This portion of fencing to be fitted with swing gates.

(d) The Tenant is to be allowed to backfill the lands under leasehold to provide support to the proposed parking facility, providing that the newly created embankment is properly graded and maintained to the satisfaction of the Regional Engineer.

11. That:

i. All **vehicles be permitted to enter the south branch of King Street between John and James,** between the hours of 6:00 p.m. and 11:00 a.m. on the following day, and that accordingly,

ii. The existing turn regulations for vehicles northbound on Hughson Street at King Street be revised to prohibit left turns into the south branch of King between 11:00 a.m. and 6:00 p.m., seven days a week (buses excepted), and,

iii. The Regional Council be requested to revise the existing turn regulations for vehicles northbound on John Street at the south branch of King Street to prohibit left turns into the south branch of King between 11:00 a.m. and 6:00 p.m., seven days a week (buses excepted), and,

iv. The Regional Council be requested to delete the existing "Commercial Vehicle Loading Zone" regulation on the south side of the south branch of King Street between John and James Street and replace it with a "No Parking" regulation in the designed loading bays, to permit loading by all vehicles, and a "No Stopping" regulation in the remainng areas, and,

v. The Hamilton Parking Authority be requested to review the possibility of providing additional off-street parking, as close to the intersection of King Street and Hughson Street as is practicable.

12. That:

i. a **parking prohibition be implemented on both sides of Cascade Street** between Lake Avenue and the westerly end, and;

ii. a parking prohibition be implemented on both sides of Covington Street between Cascade Street and Barton Street.

13. That an **"Alternate Side Parking" regulation be implemented on East 35th Street** between Concession Street and Munn Street, such that parking is prohibited:

i. on the east side of the street during the months of December, January, February and March and from the 1st and 15th day of April, May, June July, August, September, October and November, and;

ii. on the west side of the street from the 16th to last day of April, May, June, July, August, September, October and November.

14. That a **"Two Hour Parking Time Limit" regulation to be in effect 24 hours a day, seven days a week, be implemented on Audrey Street** between East 27th Street and Crockett Street, in combination with the existing "Alternate Side Parking" regulation.

15. That:

i. a **parking prohibition be implemented on the south side of Markland Street** between Bay Street South and Queen Street South, and;

ii. a "No Parking, 8:00 a.m. to 12:00 noon, 2nd Thursday each month, April to November" regulation be implemented on the north side of Markland Street between Bay Street South and Queen Street South.

16. That:

    i. the **existing parking prohibition on the west side of Emerald Street South,** commencing at a point 153 feet south of Main Street East and extending to a point 97 feet southerly therefrom **be rescinded,** and

    ii. this area be controlled by an "Alternate Side Parking" regulation.

17. That:

    i. the **existing "Permit Parking Only" regulation on the south side of Napier Street** between Hess Street North and a point 101 feet west of Caroline Street North be shortened, such that the regulation commences at Hess Street North and extends to a point 195 feet easterly therefrom, and;

    ii. the existing "One Hour Parking Time Limit" regulation on the south side of Napier Street between Caroline Street North and a point 101 feet westerly therefrom be lengthened, such that the regulation commences at Caroline Street North and extends to a point 248 feet westerly therefrom, and;

    iii. the Acting Traffic Commissioner be authorized to issue one time limit exemption permit to Mr. K. McGill, 2107 - 160 Market Street.

18. That **eastbound traffic on Carene Avenue be required to stop** for traffic on Gailmont Drive.

19. That **three-way stop control** be implemented at the intersection of Caledon Avenue and Lotus Avenue.

20. That a **stop sign be erected to control** eastbound traffic at the intersection of Westwood Avenue and Cline Avenue South.

21. That in accordance with the directive of the City Council on 1984 June 26:

    i. **traffic westbound on Markland Street be required to stop at Park Street,** and

    ii. traffic westbound on Markland Street be required to stop at Caroline Street.

22. That:

    i. the **existing residential boulevard parking agreement between the City and Enid Doobay,** registered as Instrument No. 215306 C.D. **be discharged,** at the property owner's expense, and;

    ii. the City Solicitor be directed to process the documents in relation to the discharge of this agreement.

23. That the **application by Gediminas Paltarokas and Rose Paltarokas (Gedas Motors Limited) to lease a portion of the boulevard of Keith Street,** adjacent to 395-397 Wentworth Street North, be approved provided that:

i. the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1976 November 30 (current rate is $175.17), plus taxes, if any, in addition to the $10 annual fee (approved by City Council on 1984 February 14) to be charged to the applicant for encroachment insurance.

ii. the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

iii. the approach, parking area and other structures as required be constructed and maintained in accordance with the drawing on Schedule "B" of the agreement, at the owner's expense.

iv. the owner prepares and executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

24. That:

i. the **existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Columbia Drive,** commencing at a point 52 feet south of Bendamere Avenue and extending to a point 303 feet southerly therefrom **be removed,** and;

ii. a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Bendamere Avenue, commencing at a point 64 feet west of Columbia Drive and extending to a point 204 feet westerly therefrom.

25. That a **"School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of East 5th Street,** commencing at a point 101 feet south of Brucedale Avenue East, and extending to a point 46 feet southerly therefrom.

26. That a **"School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Sanatorium Road,** commencing at a point 196 feet west of West 33rd Street and extending to a point 46 feet westerly therefrom.

27. That a **"School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Hester Street,** commencing at a point 35 feet west of Ronaldshay Avenue and extending to a point 128 feet westerly therefrom.

28. That, in accordance with the recommendations of the Hamilton-Wentworth Regional Police Department:

i. a **school traffic officer be assigned to the intersection of Wilson Street and Steven Street,** and;

ii. school crossing signs be erected, and crosswalks be painted across Wilson Street on the westerly leg of the intersection, and;

iii. Wentworth Street School, Tweedsmuir School, St. Patrick's School and St. Brigid's School be informed of the placement of a school traffic officer at this location commencing in September 1984, and;

iv. The Finance Committee be requested to recommend the method of financing an amount of approximately $1 600 to cover the cost of assigning a school traffic officer at this intersection for the remainder of 1984.

29. That the **Traffic By-law entries for various regulations on Edward Street** between St. Ann Street and Barnesdale Avenue **be changed,** in accordance with By-law No. 84-79 (to change the name of Edward Street to Solidarnosc Place).

30. That the Acting Traffic Commissioner be authorized to issue **one time limit exemption permit** to each of the first seven applicants residing in the apartment building at No. **121 Park Street South.**

31. That **parking be prohibited on the west side of Elgar Avenue** between Limeridge Road West and a point 112 feet northerly therefrom.

32. That, in accordance with the request by the Hamilton Street Railway Company;

i. permission be granted to operate **Stoney Creek Saltfleet Community buses on Kingfisher Drive** from the Limeridge Mall to the Limeridge Loop opposite Kendale Court, and;

ii. the following bus stop locations be approved:

- Stoney Creek Saltfleet Community Route

ADD - Westbound
- Kingfisher - 100' W. of Upper Wentworth
- Kingfisher at Limeridge
- Limeridge at Flamingo
- Limeridge at Upper Wellington
- Limeridge at Maitland
- Limeridge at Ridge
- Limeridge at Upper James

- Eastbound
- Limeridge opp. Ridge
- Limeridge opp. Maitland
- Limeridge at Uppr Wellington
- Limeridge opp. Flamingo
- Kingfisher, 100' North of Limeridge
- Kingfisher at Upper Wentworth

33. That:

i. a **school traffic officer be assigned to the intersection of Vansitmart Avenue and Weir Street,** and;

ii. the Finance Committee be requested to recommend the method of financing a annual amount of approximately $5 000 to cover the cost of assigning a school traffic officer at this intersection.

34. That a **"Four-way Stop"** be implemented at the intersection of Gemini Drive and Gardiner Drive/Gafney Court.

35. That, whereas **Main Street** is a Regional Road, Regional Council be strongly urged to:

    i. **extend the length of time of the walk indicator** for pedestrians crossing Main Street East at Springer Avenue, and;

    ii. ensure that larger school crossing signs are placed on Main Street East in the vicinity of Springer Avenue to alert motorists to the fact that children are crossing at this point; and further,

    iii. City Council direct the Traffic Department to maintain in good and constant repair, the special information signs at the ends of the crosswalk at Main Street and Springer Avenue.

    NOTE: For the information of Council, the vote of the Transport and Environment Committee with respect to this item was unanimously in the affirmative.

36. That:

    i. the Transport and Environment Committee **authorize a mural for the stairway abutment on James Street South**; and

    ii. the Director of Public Works be authorized to provide any necessary equipment (i.e. ladders and barricades) to facilitate the painting.

    NOTE: The James Street South abutment is a suitable wall for a mural competition. A design review committee will be chosen to select a mural design from the entries. The winning mural design will then be submitted to the Transport and Environment Committee for endorsement.

37. WHEREAS Clause 3(b) of the Nineteenth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1981 July 28, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, Marvin J. Wasserman and Symroy Corporation Limited;**

    IT IS RECOMMENDED THAT:

    i. The engineering schedules for the estimated cost of services in "Rexford Heights - Phase 1", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;

    ii. The City's share for the cost of services for this development ($11 722) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

TYPE OF WORK	AMOUNT TO BE FINANCED
Catch Basins and Connections	$ 1 356
Curbs and Sidewalks	3 119
Final Roads	6 497
Street Lighting	750
TOTAL	$11 722

iii. The approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

38. WHEREAS Clause 3(b) of the Twenty-first Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1980 June 10, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, Robert Shelley Construction Limited and Seebeck Construction Company Limited;**

IT IS RECOMMENDED THAT:

i. The engineering schedules for the estimated cost of services in "Templemead No. 2 Survey - Phase 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;

ii. The City's share for the cost of services for this development ($3 931) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

TYPE OF WORK	AMOUNT TO BE FINANCED
Final Roads	$ 3 931
TOTAL	$ 3 931

iii. The approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

39. WHEREAS Clause 4(b) of the Fourteenth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1980 April 08, recommended that a **Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided, 585633 Ontario Inc.;**

IT IS RECOMMENDED THAT:

i. The engineering schedules for the estimated cost of services in "Mohawk Gardens (Phase 3, Stage 1)", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement;

ii. The City's share for the cost of services for this development ($242 928) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

TYPE OF WORK	AMOUNT TO BE FINANCED
Catch Basins and Connections	$ 2 034
Curbs and Sidewalks	21 696
Final Roads	209 418
Fencing	6 780
Street Lighting	3 000
TOTAL	$242 928

iii. The approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

40. That the Mayor and City Clerk authorize an **amending agreement to the subdivision agreement for Randall Estates - Phase 3,** to provide for the construction of preliminary roads, provided the required cash payments are made.

NOTE: City Council has approved a subdivision agreement for Randall Estates Phase 3. The approved agreement provides for the immediate construction of final roads.

The subdivider now wishes to construct preliminary roads first and then construct final roads next spring. This is permissible under normal City policy.

Staff has no objection to the request and recommend that an amendment to the agreement be approved provided the developer pays to the City of Hamilton $619 for maintenance and $330 for inspection. These figures are calculated in accordance with standard practice.

41. That the **proposed reconstruction of Depew Street (road and sidewalks) be deleted** from the 1984 Reconstruction Program and be included for consideration in the 1986 Reconstruction Program.

42. That:

i. the Commissioner of Engineering be authorized and directed to issue a requisition to the Public Works Department to undertake the necessary **road and sidewalk work on Beach Road and Whitfield Avenue** at Norton Street once the abandoned T.H.& B. Railway tracks have been removed.

ii. the cost of the City's portion of the work estimated at $12 900 (including 7% overhewad to the Region) be charged to Account #0352-0362 (Specific Maintenance - Railway Crossings).

NOTE: The Steel Company of Canada has been directed by the Canadian Transport Commission to remove the abandoned trackage on Beach Road and Whitfield Avenue at Norton Street.

43. That the **Recycling Support Council** be informed that the City of Hamilton:

i. supports the general principles of recycling and resource recovery as outlined in the Ministry of the Environment's **"Blueprint for Waste Management in Ontario",**

ii. has already endorsed its support of the "Third Sector Employment Enterprises Proposed Recycling Program", which is very similar to the program outlined by the Recycling Support Council,

iii. will consider the Recycling Support Council program if the Third Sector Program cannot be implemented to the satisfaction of City Council.

44. That the application of the **James Street Businessmen's Association for permission to hold a sidewalk sale** on Wednesday, July 25, 1984 from 9:30 a.m. to 5:30 p.m., Thursday, July 26, 1984 from 9:30 a.m. to 6:00 p.m., Friday, July 27, 1984 from 9:30 a.m. to 5:30 p.m. at the following location:

i. North side of King William Street from James Street to Hughson Street

be approved subject to the following conditions:

(a) The organizing group hold the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss.

(b) The organizing group provide proof of public liability insurance in the amount of $1 000 000 naming the City as an additional third party insured, with a provision for cross liability.

(c) Clean-up of the sidewalk will be carried out immediately following the event, each day, at the expense of the organizing group.

(d) The operation of the sale does not interfere with hydrans, pedestrian traffic along the sidewalk nor at bus stop areas. A minimum of 2m of unobstructed sidewalk, where possible, remain open for pedestrian traffic.

45. That the application of **Mr. F. Vitoria, owner of Azores Tavern and Catering at 191 James Street North, requesting permission for an outdoor cafe,** approximately 3.65m by approximately 24.5m on the boulevard of Mulberry Street comprised of:

i. asphalt pavement, and

ii. metal boundary railing

be approved during the pleasure of Council, provided that:

(a) The owners prepare a Licensing Agreement satisfactory to the City Solicitor, and the Commissioner of Engineering, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

(b) A Seasonal Licence (from May 1st to October 31st), fee of $624, "plus any costs that may be assessed or incurred by the Municipality, as a result of the approval granted by this licenc" be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution, in addition to the $10 annual fee to be charged to the owners for encroachment insurance, satisfactory to the City Solicitor.

(c) The owners may occupy the licenced area of the boulevard from May 1st to October 31st, and all furniture, equipment, etc., must be removed from the area at all other times.

(d) A minimum of 1.09m of laneway must be kept clear and unobstructed through the boulevard cafe to serve as a building exit for the apartments located above the tavern.

46. WHEREAS an application has been received from Mrs. F. J. L. Evans, and Mr. and Mrs. A. Warden, abutting property owners, **to close the unopened road allowance of Mountwood Avenue, from Freeman Place to the south end,** and

WHEREAS this land is designated "Open Space" and forms part of the Niagara Escarpment,

IT IS THEREFORE RECOMMENDED THAT the application for closure be denied.

47. WHEREAS an application has been received from Mr. and Mrs. Bigelow, abutting property owners, **to close Melissa Street, from 15.24m east of the original centre line of Upper Wellington Street, to approximately 58.83m easterly,**

IT IS THEREFORE RECOMMENDED THAT:

i. The City Solicitor be authorized to make an application to a County Court Judge under Section 82 of the Registry Act, R.S.O., 1980 for an order closing the street;

ii. The City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting owners, under Section 57 of the Surveys Act, R.S.O., 1980;

iii. The Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the street;

iv. The documentation regarding the application to the County Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in County Court;

v. The applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor and to delineate the manner in which the closed street is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;

vi. The Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 51 of Bill 155 of the Regional Act.

48. That the request of the Portuguese Catholic Congregation of St. Mary's Church to temporarily **close Park Street from Mulberry Street to Colbourne Street** be approved on the following dates:

i. Saturday, August 11, 1984, from 5:00 p.m. to Sunday, August 12, 1984 - 1:00 a.m.

ii. Sunday, August 12, 1984 from 1:00 p.m. to 11:00 p.m.

subject to the following conditions:

(a) That all signing and barricading will be subject to the direction of the Regional Police Department and at no cost to the City;

(b) That clean-up will be carried out immediately before the re-opening of the road at no cost to the City;

(c) That the organizing group provide proof of $1 000 000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holds the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss;

(d) That the organizing group reimburse the Regional Police Department, and the Department of Public Works for any extra costs incurred by these agencies;

(e) No homeowner within the barricaded area will be denied access to their residence upon request.

(f) That the organizing group ensure that suitable detour arrangements will be available during the duration of the closure.

(g) That the applicant deposit a cheque in the amount of $300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Engineering. The cheque will be returned to the applicant after the event if the above conditions are satisfactorily met.

49. That the application of Mr. P. J. Sullivan on behalf of the owners of **56 Canada Street, Mr. and Mrs. M. S. Medley, to retain the following inadvertent encroachment on the road allowance:**

i. Front steps, approximately 0.41m by approximately 1.60m

be approved during the pleasure of City Council, provided:

(a) That the owners enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

(b) That an annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

50. That the application of Mr. J. J. Steadman, on behalf of the owners of **128 Cumberland Avenue to retain the following inadvertent encroachment on the road allowance:**

i. Wooden steps approximately 0.35m by approximately 1.52m

be approved during the pleasure of City Council, provided:

(a) That the owners enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

(b) That an annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

51. That the application of Mr. K. R. McPherson on behalf of the owner(s) **Mr. and Mrs. J. Molnar, of 112 West 35th Street to retain the following inadvertent encroachment on the road allowance of:**

i. Leslie Avenue - Concrete porch approximately 0.97m by approximately 3.69m

be approved during the pleasure of City Council, provided:

(a) That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

(b) That an annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

52. That the application of Mr. R. W. Duncan on behalf of the owner of **77 King William Street, Mr. J. Ginsberg to install the following encroachment on the road allowance:**

i. Plastic Canopy approximately 1.21m wide by approximately 1.54m high by approximately 4.57m long, approximately 2.89m above the sidewalk.

be approved during the pleasure of City Council, provided:

(a) That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

(b) That an annual fee of $58.75 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

(c) That the owner:

(1) execute an encroachment agreement for 41 Catharine Street North, or;

(2) remove the following roadway encumbrances installed without municipal consent from the road allowance abutting this property

(a) fire escape
(b) light fixtures
(c) planter containers
(d) canopy.

53. That the application of Mr. S. Friedman on behalf of the owner of **96 Locke Street South, Mr. P. May, to install and maintain the following roadway encroachments:**

i. Canopies on Jackson Street

1st Level - approximately 3.04m above grade
- 2 at approximately 0.38 by approximately 2.59m
- 1 at approximately 0.25 by approximately 3.65m

ii. Canopies on Locke Street

1st Level - approximately 3.04m above grade
- 1 at approximately 0.91m by approximately 7.92m

2nd Level - approximately 5.48m above grade
- 2 at approximately 0.45 by approximately 1.37m

3rd Level - approximately 7.62m above grade
- 1 at approximately 0.45m by approximately 0.91m

be approved during the pleasure of City Council, provided:

(a) That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

(b) That an annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

54. That the City Solicitor be directed to proceed with the preparation of a **by-law to widen Anna Capri Drive** by incorporating therein a portion of Block "AX" according to Anna Capri Gardens registered Plan M-145, being a strip of land 1.0' wide and approximately 162.78' long and being adjacent to Parts 1, 2, 3 and 4, Plan 62R-4782.

NOTE: Part of the lands adjacent to Anna Capri Drive, but separated from it by the one foot Reserve Block "AX" are being developed.

It is therefore necessary to establish a portion of the said Bl;ock "AX" as part of a public highway in order to provide access to the adjacent lands.

All recoverable costs, both City and Region have been paid.

55. That:

i. Council approve the **addition of catch basins on Brookstream Court, Forestgate Drive and Galloway Court** at an estimated cost of $17 000, and

ii. The Finance Committee be asked to recommend the method of financing.

56. That:

i. the current practice of **installing sidewalks on both sides of streets in new subdivisions be continued,**

ii. requests from residents in new subdivisions for deletion of the sidewalk requirement be considered on an individual basis.

57. That:

i. the Commissioner of Engineering be authorized and directed to issue the necessary **purchase orders for the work required on the MacNab Street Bridge over CN Rail.**

ii. an amount of $27 000 be transferred from Account #0352-0361 (Railway Crossing - General Maintenance) to Account #0352-0266 (MacNab Street Bridge)

iii. an amount of $38 500 be transferred from Account #0352-0461 (Paths and Walkways) to Account #0352-0266 (MacNab Street Bridge).

58. WHEREAS it is desirable and expediant that certain works be undertaken,

IT IS HEREBY RECOMMENDED THAT:

i. the report of the Commissioner of Engineering and the City Treasurer, **appended hereto,** recommending the construction of a **concrete alley, first north of King Street running from Caroline Street to Hess Street,** on petition of the abutting property owners, pursuant to Section 11 of the Local Improvement Act, **be adopted,**

ii. the City Solicitor be directed to make application for approval under Section 64 of The Ontario Municipal Board Act,

iii. the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton,

iv. the Finance Committee determine the method of financing.

59. That permission be given to Mr. Felix Josipovic to place **benches on the road allowance** subject to the following conditions:

i. That an agreement be entered into with the City of Hamilton to the satisfaction of the Commissioner of Engineering and the City solicitor.

ii. That an annual fee of ten dollars ($10) be paid per bench. This fee is to be non-refundable for benches removed from the road allowance.

iii. That the applicant provide an alphabetical street name inventory, defining where all benches are placed on the road allowance.

iv. That the applicant provide, at the time of each annual payment, a City map on which each bench location shall be shown.

v. That the applicant provide $1 000 000 public liability insurance, naming the City of Hamilton as an added insured party to save the City harmless from all actions, interests, claims, demands, costs, damages, expenses and loss.

vi. That the following location criteria be established:

(a) No bench shall be placed in such a manner as to obstruct pedestrian traffic and in no case shall it be placed on a sidewalk having a width of 2 metres or less.

(b) No bench shall be placed within 6 metres of any fire hydrant.

(c) No bench shall be placed so as to interfere with or obstruct any street maintenance operation.

(d) All benches shall be placed and maintained to the satisfaction of the Commissioner of Engineering.

(e) All maintenance and repairs to the benches must be made so as not to interfere with pedestrian traffic or the travelled portion of the roadway.

vii. That permission be given to Mr. Josipovic on the understanding that it is not construed as exclusive rights for the installation of benches on the road allowance.

viii. The City Solicitor be directed to prepare the necessary agreement to permit the placement of the benches on the road allowance.

60. That:

i. with respect to the proposed **Local Improvement works, on Hill Street from Dundurn Street to Poulette Street,** that the 8.5m wide finished roadway **be deleted, and**

ii. the construction of sidewalks on the south side of Hill Street not be undertaken unless approval for these works is received by the residents.

61. That leave be granted to introduce the following bills:

(a) A-34 By-law to widen Kingfisher Drive, by incorporating therein certain 1 foot reserves, being all of Parts 5 and 18, and part of Parts 2 and 3, Plan 62R-5842

(b) A-35 By-law to widen Rexford Drive, be incorporating therein a portion of Block "AX", Plan M-200

(c) A-36 By-law to widen Richmond Street, be incorporating therein Part 19, Plan 62R-7215

(d) A-37 By-law to widen Hill Street, be incorporating therein Part 18, Plan 62R-7215

(e) A-38 By-law to close and retain a portion of Cope Street, from Britannia Avenue to Alla Avenue

(f) A-39 By-law to amend By-law No. 66-100 to Regulate Traffic

(g) A-40 By-law to amend By-law No. 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN

R. C. Prowse, Secretary
1984 July 23

Attach.

REPORT ON LOCAL IMPROVEMENTS

To the Chairman and Members of the Transport and Environment Committee

Members of the Committee:

The following works are recommended to be undertaken as Local Improvements under "The Local Improvement Act".

Character or description of work or undertaking:

Name of Street upon which work is to be Constructed	Between the following Streets or Points	Project Number	Estimated Lifetime of Work in Years	Estimated Gross Cost of Work	Share or Portion of Cost which should be Borne by the Lands Abutting directly on the Work to be Debentured	Share or Portion that should be Borne by the Corporation	Reduction Which Ought to be Made under Section 28 of the Act	Aggregate Amount of such Reduction	Estimated Cost Per Metre to be Rated
3.05 wide concrete alley, first north of King Street (Section 11, L.I.A.)	Running from Caroline Street to Hess Street	801-37H	20	$23 500	$10 036	$13 464	NIL	NIL	$40

- Estimated cost per metre increased by approx 125% if debentured over 15 years.

DATED at Hamilton this day of A.D., 19

W. H. McFarland
Treasurer and Commissioner of Finance.

J. R. G. Leach
Commissioner of Engineering

Referred to in Section 58 of the Thirteenth Report of the Transport and Environment Committee.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWELFTH** Report for 1984, and respectfully recommends:

1. Approval of the application by the Concession Street Businessmens Association to host a Homecoming dance, barbeque and beer garden at Moutain Brow Park on July 21st between the hours of 7:00 p.m. - 11:00 p.m., subject to the following terms and conditions:

   (a) That the Hamilton Wentworth Chief of Police approve the request and that adequate police supervision as deemed necessary be provided at the applicant's expense.

   (b) That the applicant assume responsibility for the "actual" labour charges associated with the City accommodating the event.

   (c) That $1,000,000.00 Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as a named insured be provided.

   (d) That the Parks Division approve the location of the Bavarian Beer Garden.

   (e) That the applicant submit a financial statement of gross sales derived from the operation of the Bavarian Garden 30 days following the event.

   (f) That the necessary Health and Fire Department approvals be obtained.

2. Approval of the awarding of the following contract:

   507600 ONTARIO LIMITED operating as
   CORDIAL CATERING, 17 Gertrude Street, Hamilton

   For the operation of the MacNab Arms Restaurant facility in Dundurn Castle for a rent payment for the initial Term up to October 8th, 1984 of 10% of Gross Sales up to $10,000.00 sales per month and 15% of the gross sales in excess of $10,000.00 per month. The rent payment for the second Term that expires on January 2nd, 1985, to be negotiated.

   Offer to be accepted on or before July 20, 1984 in order to enable the operation to begin before the Civic Holiday week-end.

   Hours of operation to be extended in late summer from lunch hours only to include dinner time hours for Thursday, Friday, Saturday and Sunday evenings.

   The City to assist and fully co-operate in making early application for a liquor licence.

   NOTE: Only Proposal Received.

3. Approval of the following contract:

G. C. DUKE EQUIPMENT, Burlington, Ontario

For the supply and delivery of a Cushman Truckster complete with the following equipment; box, hydraulic lift, power take-off unit, tachometer, cab, power convertor and extra battery for the total sum of $12,497.60

All charges included.

NOTE: Only acceptable tender received.

This order was placed in accordance with the Emergency Procedures of the Purchasing Policy and is at this time being reported to City Council for formal ratification.

4. Approval of the awarding of the following contract:

G. C. DUKE EQUIPMENT LTD., Burlington, Ontario

For the supply and delivery of Grass Cutting Unit for the total sum of $11,342.00

All charges included.

NOTE: Lowest of four acceptable tenders received.

5. Approval of the awarding of the following contract:

BATTAGLIA SEWER CONTRACTOR, Hamilton, Ontario

Supply and installation of approximately 460' of 15" Diameter Concrete Sewer Pipe, 2 Manholes and 1 Catch Basin in accordance with specifications issued by the Director of Purchasing and Vendor's Quotation for the total sum of $12,282.00

NOTE: Lowest of 3 quotations.

6. Approval of the awarding of the following contract:

SANDERS ELECTRIC LTD., Stoney Creek, Ontario

Supply all labour, material and equipment necessary for the Installation of Electrical Services and Park Lighting within Priority One Park (Homeside) in accordance with specifications issued by the Director of Purchasing and Vendor's Quotation for the total sum of $14,000.00

NOTE: Lowest of 5 quotations.

7. Approval of the awarding of the following contract:

VALLANCE BROWN & CO. LTD., Hamilton, Ontario

Supply and delivery of 28 Light Fixtures and Poles for Priority One Park Lighting (Homeside) in accordance with specifications issued by the Director of Purchasing and Vendor's Quotation for the total sum of $17,471.37

NOTE: Lowest of 5 quotations.

8. That in accordance with The Expropriations Act concerning the residential property known as 229 Weir Street North which was expropriated on May 24, 1984 for redevelopment as a park, that the City Clerk be authorized and directed to:

(a) Sign and serve Notice pursuant to Section 41 of The Expropriations Act that possession of this property is required by the City;

(b) Sign and serve Offers of Compensation pursuant to Section 25 of The Expropriations Act for the expropriated land as follows:

		Offer to Compensation
Former Registered Owner	Vittorio Rizzi The Spouse of Vittorio Rizzi	$55,000.00
Owner per Final Order of Foreclosue	382850 Ontario Limited	
Mortgagees	Commerce Capital Mortgage Corporation	
	Seaway Mortgage Corporation	
	382850 Ontario Limited	
	Helen Patricia DiMillo	
Execution Creditors	Canadian Imperial Bank of Commerce	
Tenants	R. Paul	$ 1.00
	C. Vollick	$ 1.00
	Susanne Bonita Richer	$ 1.00
	Laurie Taylor	$ 1.00
	Cynthia Ann Berry	$ 1.00
	Dennis Lanari	$ 1.00
	Patricia Sharon Green	$ 1.00
	Angelo Cipriani	$ 1.00

9. (a) That approval be given to the "Intent to Designate" the property at 66 King Street East, known as the McKay Building, as a building of Historical and Architectural value, pursuant to the provisions of the Ontario Heritage Act, 1974.

(b) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.

10. (a) That approval be given to the "Intent to Designate" the property at 68 King Street East known as Victoria Hall, as a building of Historical and Architectural value, pursuant to the provisions of the Ontario Heritage Act, 1974.

(b) That the City Solicitor be authorized and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act.

11. (a) That the Concept Plan, attached as Schedule "A", for the redevelopment of the Hillcrest Park/Hillsdale School in the McQuesten Neighbourhood, at an estimated cost of $112,500., be implemented pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.).

(b) That the Director of Public Works be authorized and directed to take all steps necessary to commence and complete this redevelopment.

NOTE: Subject to the concurrence and recommendation of the Planning and Development Committee and the approval of City Council, the cost of this redevelopment will be financed pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.), in the McQuesten Neighbourhood.

12. (a) That the Concept Plan, attached as Schedule "B", for the redevelopment of Roxborough Park in the McQuesten Neighbourhood, at an estimated cost of $26,000., be implemented pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.).

(b) That the Director of Public Works be authorized and directed to take all steps necessary to commence and complete this redevelopment.

NOTE: Subject to the concurrence and recommendation of the Planning and Development Committee and the approval of City Council, the cost of this redevelopment will be financed pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.), in the McQuesten Neighbourhood.

13. (a) That the Concept Plan, attached as Schedule "C", for the redevelopment of the Roxborough Public School Site in the McQuesten Neighbourhood, at an estimated cost of $16,600., be implemented pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.).

(b) That the Director of Public Works be authorized and directed to take all steps necessary to commence and complete this redevelopment.

NOTE: Subject to the concurrence and recommendation of the Planning and Development Committee and the approval of City Council, the cost of this redevelopment will be financed pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.), in the McQuesten Neighbourhood.

14. (a) That the Concept Plan, attached as Schedule "D", for the redevelopment of the Sir Winston Churchill Recreation Centre Site in the Normanhurst Neighbourhood, at an estimated cost of $37,000., be implemented pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.).

(b) That the Director of Public Works be authorized and directed to take all steps necessary to commence and complete this redevelopment.

NOTE: Subject to the concurrence and recommendation of the Planning and Development Committee and the approval of City Council, the cost of this redevelopment will be financed pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.), in the Normanhurst Neighbourhood.

15. (a) That the Concept Plan, attached as Schedule "E", for the redevelopment of Mahoney Park and Field House in the Normanhurst Neighbourhood, at an estimated cost of $130,000., be implemented pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.).

(b) That the Director of Public Works be authorized and directed to take all steps necessary to commence and complete this redevelopment.

NOTE: Subject to the concurrence and recommendation of the Planning and Development Committee and the approval of City Council, the cost of this redevelopment will be financed pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.), in the Normanhurst Neighbourhood.

16. (a) That the Concept Plan, attached as Schedule "F", for the redevelopment of the Parkdale Public School Site in the Normanhurst Neighbourhood, at an estimated cost of $30,000., be implemented pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.).

(b) That the Director of Public Works be authorized and directed to take all steps necessary to commence and complete this redevelopment.

NOTE: Subject to the concurrence and recommendation of the Planning and Development Committee and the approval of City Council, the cost of this redevelopment will be financed pursuant to the provisions of the Ontario Neighbourhood Improvement Programme, (O.N.I.P.), in the Normanhurst Neighbourhood.

17. (a) That the City of Hamilton enter into an agreement with Skarratt Promotions Incorporated to use the Ivor Wynne Stadium for the purpose of staging a Kenny Rogers Concert for a single performance only. The date yet to be confirmed will be between September 4th and September 7th, 1984, providing for one rain date.

(b) That the Operational Regulations for use of Ivor Wynne Stadium - Schedule A be applicable with the following exceptions:

(i) Provision for reserved seating on the field surface, the method of protecting the astro turf acceptable to the Parks Division, at the applicant's expense.

(ii) Use of the Stadium Box Office the day of the event for reserved seat ticket sales.

(c) That the City Solicitor prepare and execute the necessary documents and that the agreement include, among other matters, the following terms and conditions:

(i) That the Rental Charge be $15,000. flat fee, payable as follows:-

(A) 50% - 30 days in advance of the event
(B) 50% - 24 hours in advance of the event

Plus related labour charges as reported by the Parks Division to be paid within 14 days of being invoiced.

(ii) That $3,000,000. Comprehensive General Liability Insurance for Property Damage and Bodily Injury, inclusive and aggregate, naming the Corporation as a named insured be provided 30 days in advance of the event.

(iii) Skarratt Promotions Inc. must deliver to the City, for its approval by no later than 30 days before the event, all deposits, ticket manifests, musical royalty fees, bonds, police payments and agreements as deemed necessary, in default of which the City may, in its sole discretion, terminate approval of the event, refuse entry to its stadium facility and treat the contract as breached by the applicant, without recourse by it, or anyone else, against the City.

(iv) That Skarratt Promotions Inc. provide adequate police and security supervision as deemed necessary by the Hamilton-Wentworth Chief of Police and assume associated costs.

(v) All broadcasting, moving picture and television rights and privileges are to be negotiated by the Director of Culture and Recreation and subject to the approval of City Council.

18. That the sum of $100,000. be transferred to the Crown Point West Priority Parkland Account No. 0408-C1608, from the reserve for lands conveyed to the City for public purposes, (Account 0280-11).

19. That the City enter into a lease agreement with "Ski-View Network" to provide commercial advertising panels on the towers of the Chedoke and King's Forest Ski areas, subject to terms and conditions including the following.

    (a) That the terms of the agreement will be for the 1984-85 ski season.

    (b) That the brackets and panels will be erected and maintained at the "Network's" expense and the number, placement and installation be subject to the Parks Division with due consideration to user safety and aesthetics of the ski area.

    (c) The type of commercial advertising contained on the panels is to be subject to City approval.

    (d) That the amount of revenue to be negotiated is satisfactory to the City.

20. That the application by Hamilton Wentworth Creative Arts to host Festival of Friends in Gage Park from August 10th - 12th inclusive, between the hours of 12:00 noon and 10:30 p.m. be approved subject to the following terms and conditions:

    (a) That $2,000,000. Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as the co-insured be provided.

    (b) That the location of various booths and activites within the park be subject to the approval of the Parks Division in order to reduce damage and high maintenance costs.

    (c) That discussion take place with the Hamilton-Wentworth Regional Police regarding police supervision and traffic control, all associated costs to be the responsibility of the organizer.

    (d) That the bandshell rental fee of $28.00 per day be applicable.

    (e) That the organizer assume "actual labour charges" associated with the event as reported by the Parks Division subsequent to Parks Division representatives meeting with the organizer.

    (f) That the organizers arrange for public announcements throughout the event advising the general public that dogs must be kept on a leash.

21. Approval of the actions of the Director of Culture and Recreation in authorizing a sign to be erected on the east wall of the Ivor Wynne Stadium, Section 16, for the purpose of promoting the CHML Booster Club, subject to the following:

    (a) The type and mounting of same meeting with approval of the Department and Parks Division, and at the promoter's expense.

    (b) Such permission granted during the 1984 Tiger Cat Season Only.

    (c) Additional promotional considerations by CHML, in lieu of advertising dollars.

22. That the Director of Culture and Recreation be authorized to prepare specifications and tender documents for the installation of Advertising and Notice Display Units in various Recreation facilities under the jurisdiction of the Culture and Recreation Department.

23. (a) That the lighting fixtures in the concourse area below the south stands of Ivor Wynne Stadium be replaced at an estimated costs, including installation, of $20,000. and,

    (b) That funds be provided from the Capital Account previously approved for the rehabilitation of the north and south stands.

    NOTE: An amount of $625,000. was provided for the rehabilitation of the north and south stands, of which $343,955. has been expended to date.

24. (a) Approval of the sale of a surplus parcel of city owned land at the rear of 171 Emerson Street, measuring 39.99 feet by 23.59 feet/184.5 feet, to Henry Harms for the sum of $630. Option to be accepted on or before August 7, 1984. Cash on closing of sale which shall be on or before September 24, 1984.

    (b) Approval of the sale of a surplus parcel of city owned land at the rear of 171 Emerson Street, measuring 2.64 feet by 77.95 feet, to Mark and Jane Banyard for the sum of $22. Option to be accepted on or before August 7, 1984. Cash on closing of sale which shall be on or before September 24, 1984.

25. Approval of the acquisition of the property at 157 Belview Avenue from the Estate of Victoria Cross Palmer for the sum of $24,500. Option to be accepted on or before August 6, 1984. Cash on closing of sale which shall be on or before September 10, 1984.

    NOTE: This property is required in connection with the development of the Crown Point West Priority Park. Sufficient funds are available in Account No. 0408-C16086 to provide for this closing.

26. (a) Approval of the renewal of the lease for City lands at the foot of Bay Street, known as Parts 1, 3 and 5A and the granting of a temporary right-of-way for Parts 2, 4 and 5 as shown on Reference Plan 62R-4025, to the Macassa Bay Yacht Club for a period of one (1) year commencing July 1, 1984, at an annual rental of $2,150. plus taxes.

    (b) That the City Solicitor be authorized to prepare and have executed the necessary lease documents.

27. Acceptance of Block 15, as shown on the Kimberly Estates Addition proposed plan of subdivision, dated May 18, 1984, for open space purposes.

    NOTE: The proposed plan of subdivision is located on the west side of Kimberly Drive. With the adoption of Section 3 of the First Report of the Planning and Development Committee, City Council, at its meeting held January 31, 1984, approved the draft plan of subdivision and further recommended to the Parks and Recreation Committee that it support the acceptance of this parcel of land for open space purposes should the owners wish to convey same to the City.

28. (a) That the land exchange involving lands known as the Lampman Farm on Highway No. 53 and lands known as the Allarco Lands located north of Mohawk Road, east of Highway No. 403 in the town of Ancaster which was authorized by City Council on September 27/28, 1983 subject to a number of conditions, with the adoption of Section 5 of the Eighteenth Report of the Parks and Recreation Committee, be proceeded with, without conditions.

(b) That the Ministry of Natural Resources be petitioned to proceed with the designation and development of the lands in question as a Provincial Park which was previously a formal condition of this exchange.

29. (a) That the City of Hamilton participate in the 1985 Great Canadian Participaction Challenge.

(b) That the various recommendations made by the "Mayor's Committee on Fitness", relative to the 1985 programme, be persued with particular emphasis on:-

(i) Achieving a budget allocation of $5,000. through Corporate, Industrial and Municipal funding.

(ii) Securing, through government sources, the services of a co-ordinator for a six (6) month period.

30. Pursuant to the expropriation on May 11th, 1984 of 69.2225 acres of land and waterlots described as Parts 1 to 6 inclusive on the Plan of Expropriation registered as Instrument No. 280084 CD., that the City Clerk be authorized and directed to:

(a) Sign and serve notice in accordance with Section 41 of The Expropriations Act that possession of the property is required;

(b) Sign and serve Offers of Compensation pursuant to Section 25 of The Expropriations Act for the expropriated land as follows:

		Offer of Compensation
Former Registered Owners	Samuel Lax Samuel Lax as Partner, carrying on business as Manufacturer	$ 900,000.00
	Sheridan Lax Sheridan Lax as Partner, carrying on business as Manufacturer	
Spouses of Former Owners	Gloria Lax Sally Lax	

		Offer of Compensation
Tenants	Hamilton-Burlington "Y" Sailing Club	$ 1.00
	Gerard J. Lyons	1.00
	Martin Pearson	1.00
	Liz Aldrey	1.00
	Sheila Turcon	1.00
	MacDonald Marine Services	1.00
	Sandy MacDonald	1.00
	Scott-MacDonald Ltd.	1.00
	Robert Morgason, carrying on business under the firm name and style of Cap'n Bob's Tours	1.00
	Cruising Yachts Ltd.	1.00
	Jen Pasenow	1.00
	Provincial Council of Ontario The Boy Scouts of Canada	1.00
	Macassa Bay Yacht Club	1.00

31. That leave be granted to introduce the following bill:

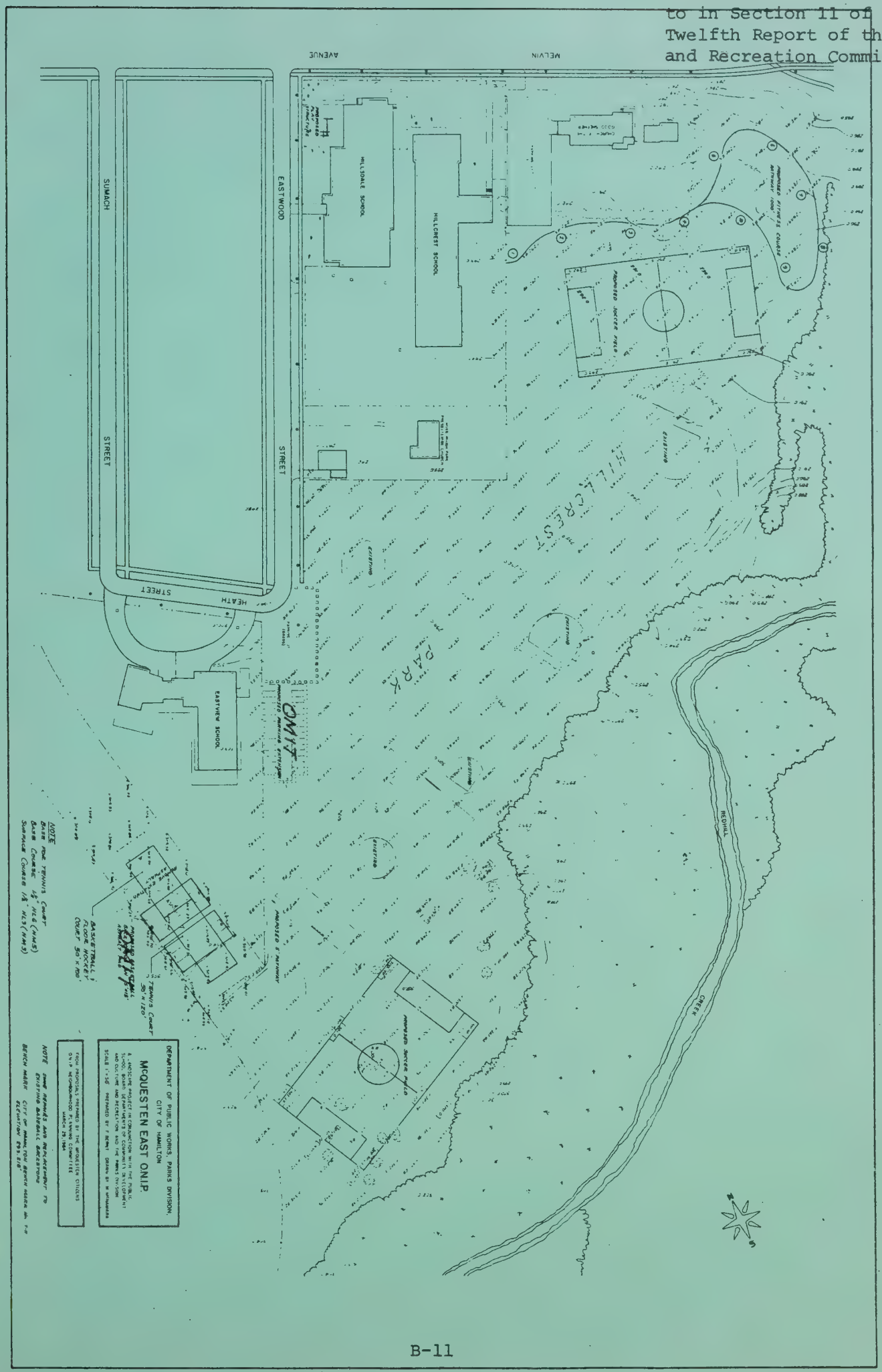
    (a) Bill B-4 - To expropriate land for redevelopment as a park.

Respectfully submitted,

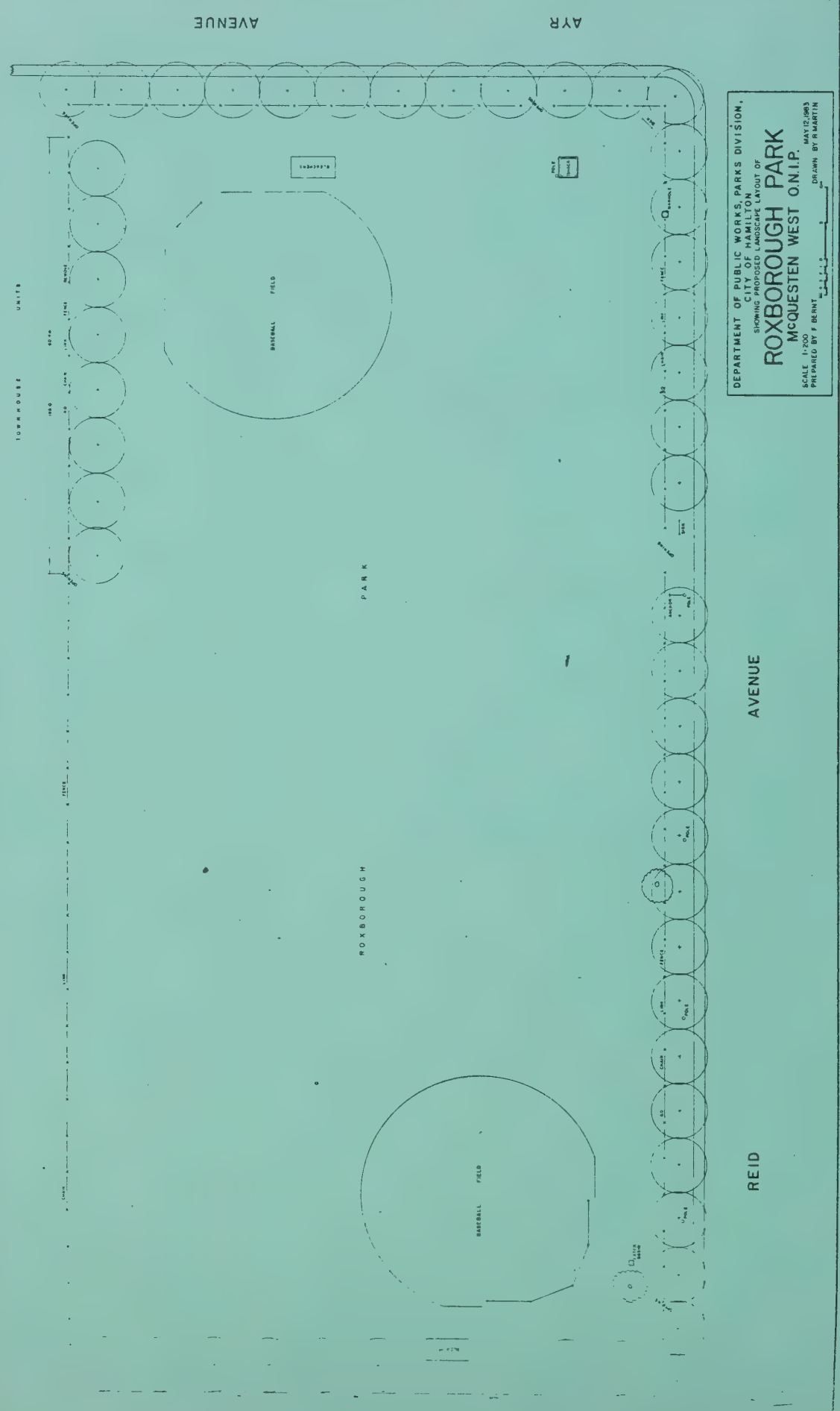
ALDERMAN B. HINKLEY, CHAIRMAN,
PARKS AND RECREATION COMMITTEE.

J. J. Schatz, Secretary,
1984 July 12, 26.

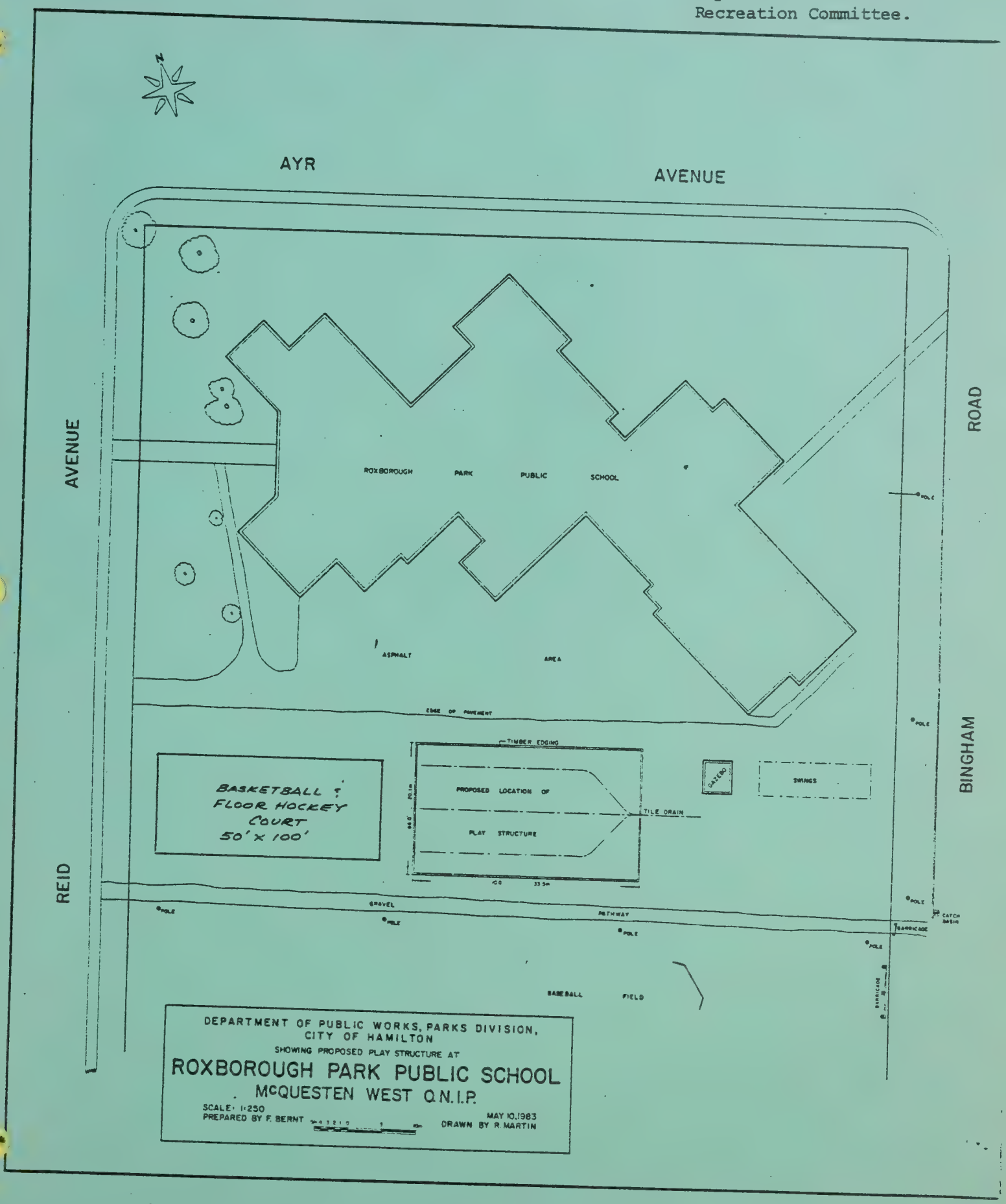
"Schedule A" - Referred to in Section 11 of the Twelfth Report of the Parks and Recreation Committee.



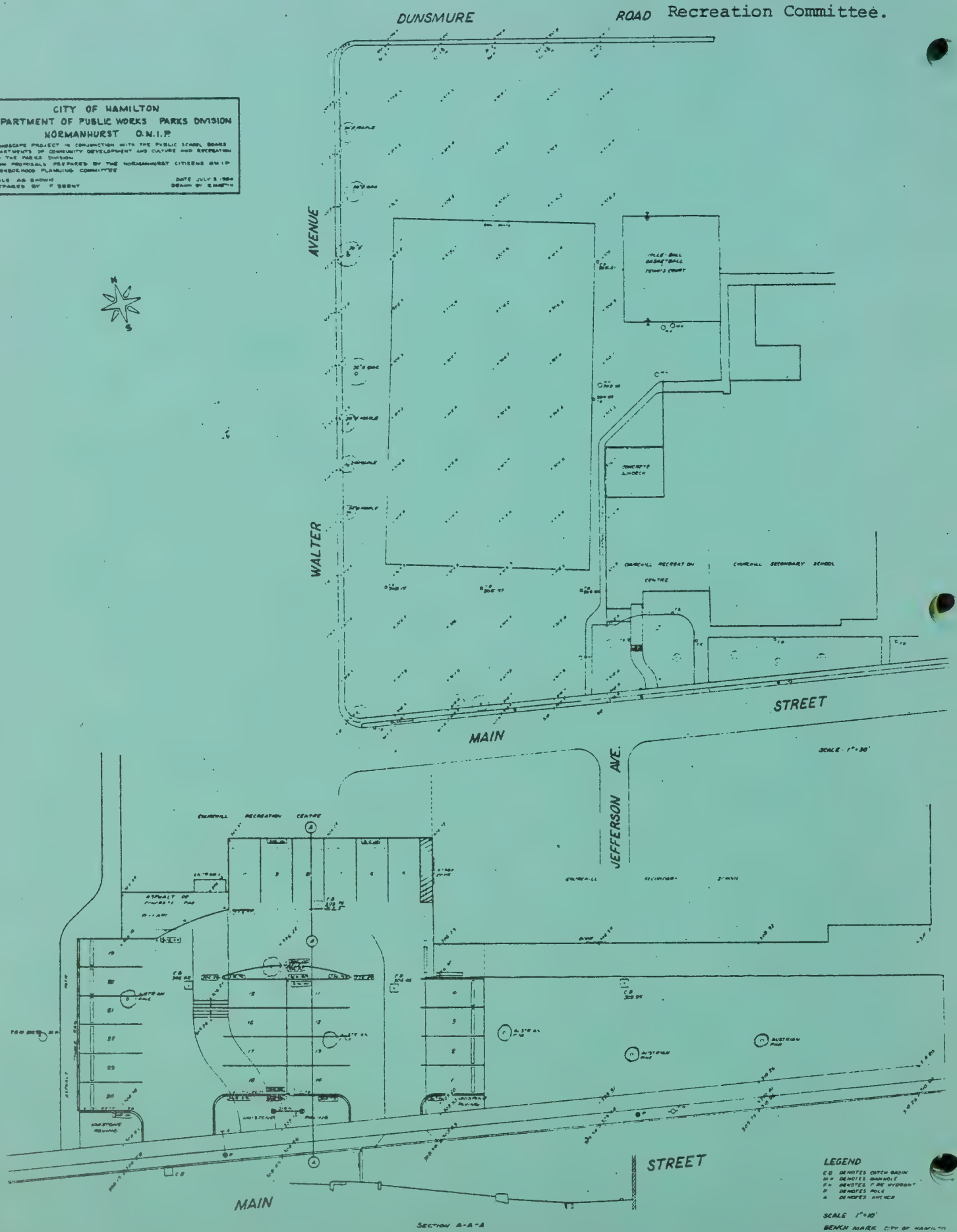
"Schedule B" - Referred to in Section 12 of the Twelfth Report of the Parks and Recreation Committee.



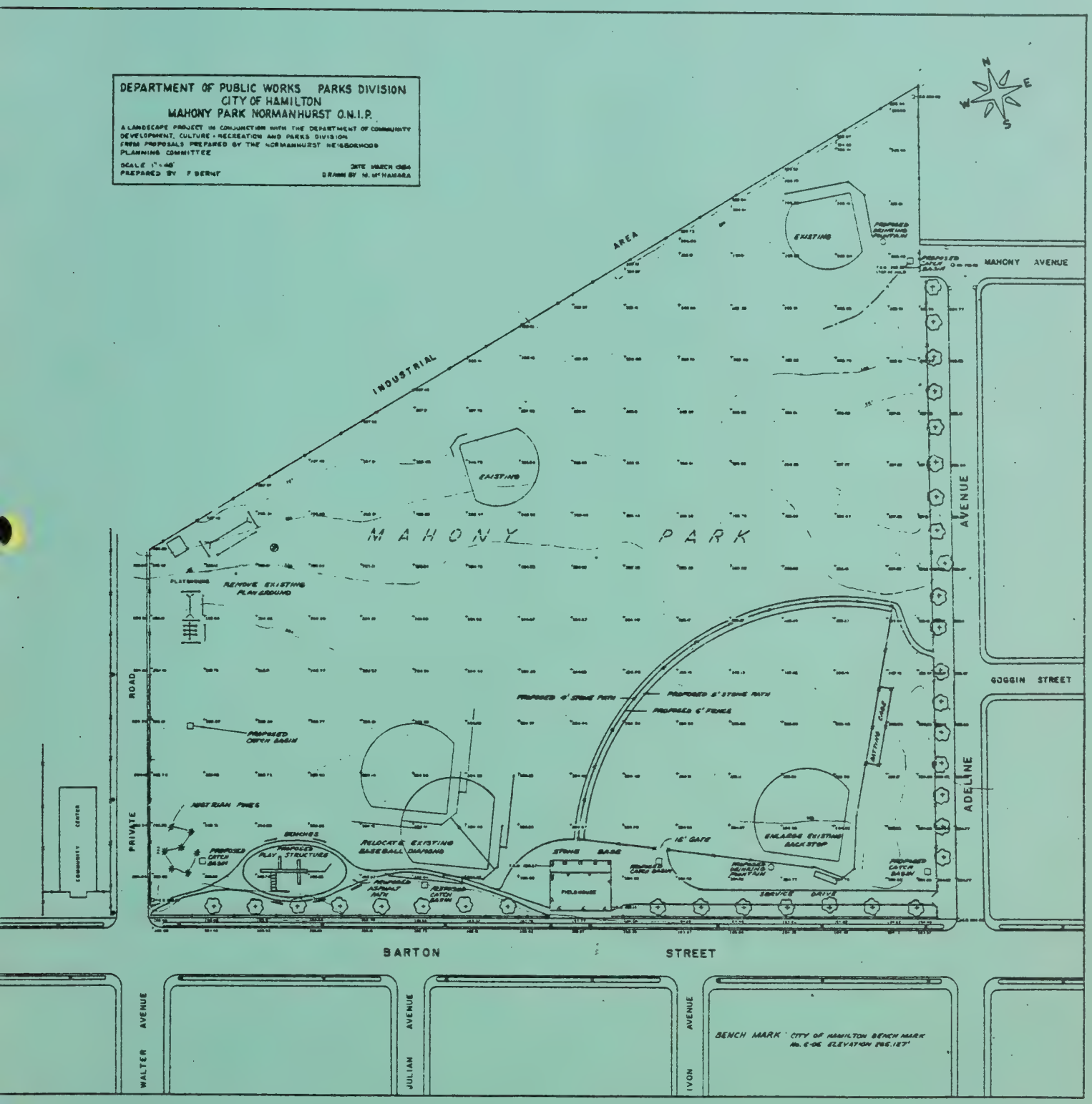
"Schedule C" - Referred to in Section 13 of the Twelfth Report of the Parks and Recreation Committee.



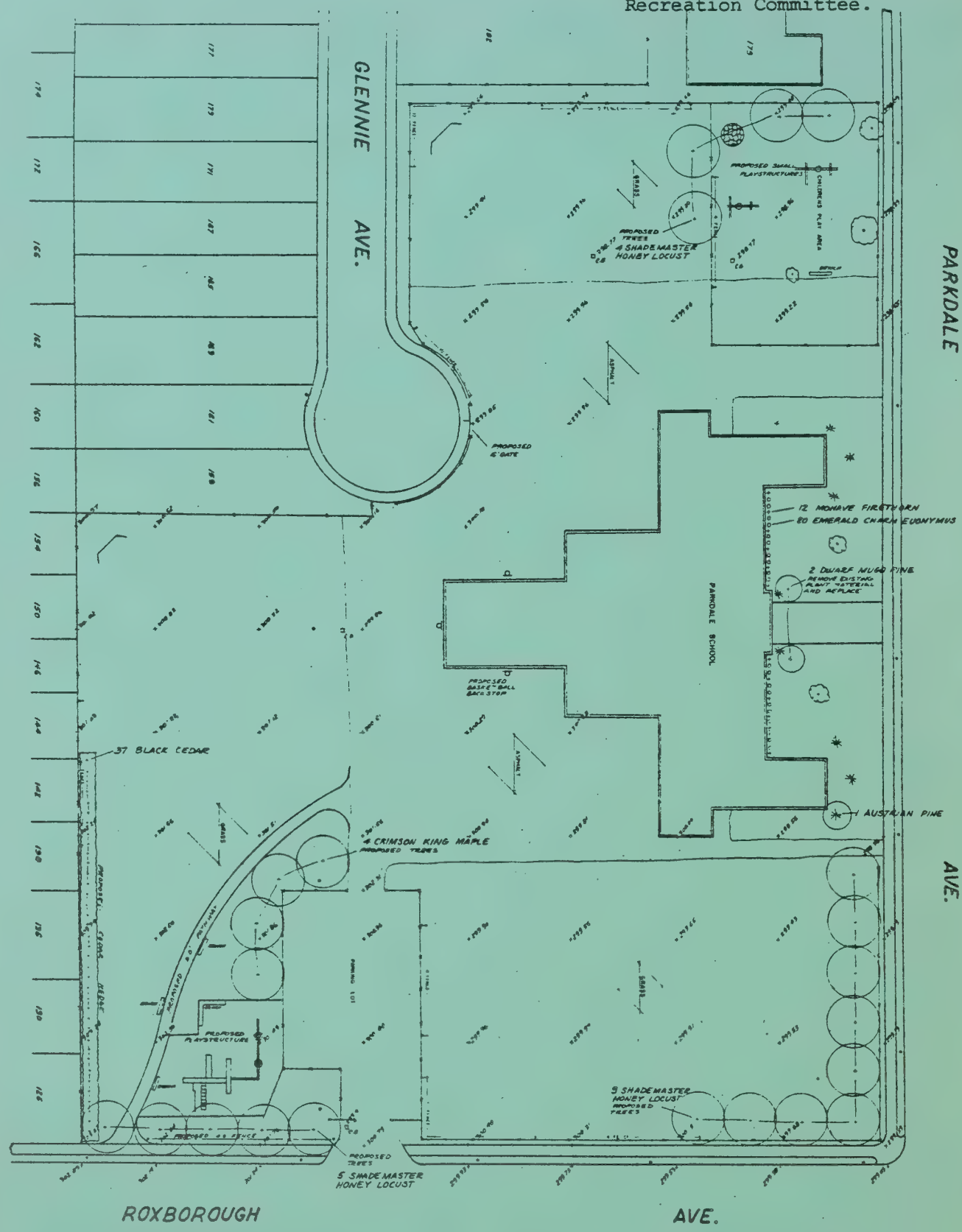
"Schedule D" - Referred to in Section 14 of the Twelfth Report of the Parks and Recreation Committee.



"Schedule E" - Referred to in Section 15 of the Twelfth Report of the Parks and Recreation Committee.



"Schedule F" - Referred to in Section 16 of the Twelfth Report of the Parks and Recreation Committee.



PLANT LIST			
No.	BOTANICAL NAME	COMMON NAME	INST
12	PINUS MUGO MUGO	DWARF MUGO PINE	AS 3-3ML
80	EUONYMUS FORTUNE 'EMERALD CHARM	EMERALD CHARM EUONYMUS	10-0C
12	PYRACANTHA MOHAVE	MOHAVE FIRETHORN	30-0C
18	GLEDITSIA TRIACANTHOS 'SHADEMASTER'	SHADEMASTER HONEY LOCUST	80-0C
4	ACER PLATANOIDES 'CRIMSON KING'	CRIMSON KING MAPLE	80-0C
37	THUJA OCCIDENTALIS NIGRA	BLACK CEDAR	1 3-0C
1	PINUS NIGRA	AUSTRIAN PINE	4C-0C

DEPARTMENT OF PUBLIC WORKS PARKS DIVISION
CITY OF HAMILTON
PARKDALE SCHOOL NORMANHURST O.N.I.P.

A LANDSCAPE PROJECT IN CONJUNCTION WITH THE BOARD OF EDUCATION, COMMUNITY DEVELOPMENT, CULTURE AND RECREATION AND PARKS DIVISION FROM PROPOSALS PREPARED BY THE NORMANHURST NEIGHBORHOOD PLANNING COMMITTEE.

SCALE 1"=20' DATE APRIL 1984
PREPARED BY F. BERNT DRAWN BY R. MARTIN

FINANCE COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **THIRTEENTH** Report for 1984 and respectfully recommends:

1. (a) That the procedure for the selection of the positions of Facilities Manager, Director of Marketing and Director of Financial and Administrative Services be in accordance with the policy for the selection of Department Heads as approved by City Council on September 14, 1982 with the following exception:

   - That the Selection Committee consist of the Chairman and Vice-Chairman of the Personnel Committee, the Chairman, the 1st Vice-Chairman, and 2nd Vice-Chairman of the Interim Board, The Chief Administrative Officer and the Director of Personnel.

     NOTE: The Selection Committee relative to the hiring of Department Heads consists of the Chairman and Vice-Chairman of the Personnel Committee; the Chairman and Vice-Chairman of the Standing Committee to which the Department Head will be reporting; the Chief Administrative Officer and the Director of Personnel.

   (b) That Subsection (c) of Section 6 of the Twenty-Fifth Report of the Parks and Recreation Committee which was adopted by City Council at its meeting on November 29/30, 1983 be rescinded.

   NOTE: This resolution provided for the Selection Committee relative to the hiring of senior personnel for the Victor K. Copps Trade Centre/Arena to consist of the Chairman and Vice-Chairman of the Personnel Committee, the Members of the Trade Centre/Arena Subcommittee, Chief Administrative Officer and the Director of Personnel.

2. The Finance Committee wishes to advise of the election of the following with repect to the Interim Board appointed to administer the affairs of Hamilton Place, the Convention Centre and the Victor K. Copps Trade Centre/Arena:

   - **CHAIRMAN** - Mr. David O. Braley
   - **1ST VICE-CHAIRMAN** - Mr. J. C. Jaggard
   - **2ND VICE-CHAIRMAN** - Alderman D. Gray

3. The Finance Committee wishes to advise of the establishment of the following Subcommittee of the Interim Board to review and report to the Board on matters relating to the Victor K. Copps Trade Centre/Arena.

   - **ALDERMAN D. GRAY**
   - **MR. S. CINO**
   - **MR. P. VALERIANO**
   - **MR. R. WHEELER**

4. Approval of the awarding of the following contract:

AM MULTIGRAPHICS, Burlington, Ontario.

Supply and delivery of Model 875 EMI Camera Platemaker in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for a total cost including trade-in and Sales Taxes of..... $10,925.77

NOTE: Lowest of 6 acceptable tenders.

5. (a) That the Energy Auditor's function be continued and that the sum of $8,500. be added to budget Account No. 0333-02 to pay the cost of the programme from August 1984 to December 1984. Of this amount, $5,000. will be received from a Provincial MEAP Grant, leaving a net cost to the City of $3,500.

   (b) That the additional funds of $3,500. be approved as an overdraft and financed from 1983 set up of funds in relation to general conservation study Account No. 0333-0260.

6. (a) That the energy-saving measures for City Hall proposed in a Report of H. H. Angus & Associates, dated July 1984, be approved.

   NOTE: This report proposed an expenditure of $600,000. over the next two years, for changes to the fan systems, controls, metering and lights. The yearly energy cost savings after implementation are estimated at $154,000. for a payback period of about 4 years at current energy costs.

   (b) That the Capital Budget Committee be requested to include the $600,000. cost of this project in the estimates for 1984, 1985 and 1986.

   NOTE: At present the capital budget contains $150,000. in each of these years (total $450,000.) for energy conservation projects in City Hall.

   (c) That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval of debentures for this project.

   NOTE: Copies of the H. H. Angus & Associates Report dated July, 1984 can be obtained from the Secretary, Finance Committee.

7. That the firms of H. H. Angus & Associates and Hanscomb Consultants Ltd. be retained at a cost of $3,500. and $5,000. repsectively, to provide engineering and cost consulting services for the feasibility study for the proposed addition to City Hall.

   NOTE: An expenditure of up to $10,000. was authorized by Council for this purpose.

8. That upon payment of $6,803.42 from Pasquale Bagnoli, Mr. Bagnoli be provided with a Full and Final Release regarding his share of the road cut repair costs owing to the City by himself, Tuban Construction Limited and Giovanni Tullo and that the Mayor and City Clerk be authorized to execute a Quit Claim deed(s) discharging any interest the City may have in Mr. Bagnoli's properties as a result of the judgment the City has obtained and the writ of execution the City has filed with the Sheriff in collection of the road cut repair costs.

9. (a) That the Work in Progress Project 0408-31150 Land Acquistion - York Street from Queen Street to Dundurn Street be closed. Expenditures to June 30, 1984 are ($5,782,837.30) and the Ontario Municipal Board gross cost authority is $5,818,000.

   (b) The excess revenue over expenditures as at June 30, 1984 for the City portion of the project (sale of land surplus to road requirements and reserve funds) in the amount of $805,869.16 be credited to Account No. 0280-02, Reserve for Property Purchases.

   (c) That the City Treasurer be authorized to establish a new project (Phase II) for the estimated gross cost of land acquisitions yet to be completed (484,511.) and the Regional Municipality be requested to provide the method of financing.

   (d) The excess revenue over expenditures as of June 30, 1984 for the Region's share of the project (M.T.C. subsidies) in the amount of $65,169.56 be applied to the additional request being made of the Region, thereby revising the estimated gross cost to $419,341.44.

   (e) That all future land acquisitions to complete the project be submitted for M.T.C. subsidies by the City of Hamilton as part of the City subsidy allocation.

10. That in view of the expanded quarters which will be available for the Systems and Data Processing division of the Treasury Department, the City Treasurer be authorized to install 13 additional terminals and 3 additional control units, commencing August 1, 1984 and that the five-month expense for this equipment in 1984, of $8,270., be financed by means of a Contingency transfer to Account No. 0323-1583 (Rental - Computer Equipment).

11. Approval of the sum of $50,000. for capital repairs and equipment in 1984 to be financed as required from the Reserve for Capital Projects - Hamilton Convention Centre, Account No. 0280-46, as authorized in the 1984 - 1988 Capital Budget (Item No. 34294), provided that the Board of Directors of the Hamilton Convention Centre be requested to authorize individual capital purchases before they take place.

12. (a) That Item 16 of the Forty-First Report of the Board of Control, adopted by City Council on November 30, 1976, be rescinded.

(b) That any two of the following shall have access to the Corporation's safety deposit boxes No. 213 and No. 679; the Treasurer, Manager of Budgets, Manager of Accounting and Manager of Revenue. Any two of the following shall have access to box No. 680; the Treasurer, Manager of Budgets, Manager of Revenues, Director of Systems and Data Processing and Manager of Systems.

13. That the City Treasurer be authorized to make application for Community Economic Tranformation Agreements with the Province of Ontario.

14. Section 27 of the Fourteenth Report of the Planning and Development Committee makes reference to payment of an account from duToit Associates Limited and requests the Finance Committee to recommend the method of Financing.

    In this regard, the Finance Committee recommends that invoice No.'s 922 and 927, duToit Associates Limited, totalling $2,093.66, be financed from within the General Contingency estimates of $31,020. (forming part of the approved total of this project $3,529,000.) and that a separate account number 0405-034022 be created for this purpose in the Downtown Action Plan - Gore Park Redevelopment - Phase I.

15. Section 2 of the Thirteenth Report of the Transport and Environment Committee makes reference to repairs to the silos at the Ferguson Avenue Maintenance Yard and requests the Finance Committee to recommend the method of financing.

    In this regard, the Finance Committee recommends that the cost of replacing the duct enclosure for the salt elevator at an estimated gross cost of $29,663., and the cost of replacing the steel stairs at an estimated gross cost of $19,380., be financed by the Reserve for Capital Projects, Account No. 0280-27.

16. That the cost of $15,000. for the erection of two poles on Main Street West for the purpose of hanging a promotional banner be financed by means of a transfer from the Contingency Account in the form of an unallocated transfer and that Acount No. 0378-1100 be created for this purpose.

17. Section 19 of the Twelfth Report of the Transport and Environment Committee makes reference to the placement of a School Traffic Officer at Fennell Avenue East and East 44th Street and requests the Finance Committee to recommend the method of financing.

    In this regard, the Finance Committee recommends that the $1,200. cost for a School Traffic Officer at Fennell Avenue East and East 44th Street be financed by means of an overdraft in the School Traffic Officer Account No. 0347.

18. Section 33 of the Thirteenth Report of the Transport and Environment Committee makes reference to the placement of a School Traffic Officer at Vansitmart Avenue and Weir Streets and requests the Finance Committee to recommend the method of financing.

In this regard, the Finance Committee recommends that the $2,100. required for the balance of 1984 for a School Traffic Officer at Vansitmart Avenue and Weir Street be financed by means of an overdraft in the School Traffic Officer Account No. 0347.

19. (a) That the one mill special levy, established in the year 1982, be continued in 1986 and after to enhance the City of Hamilton's Pay-as-you-go" policy and, specifically, to allocate funds to Reserve Accounts which are not totally funded.

(b) That a new Reserve be created to fund election expenses to eliminate fluctuations in the annual mill rate. This new Reserve should be estalbished in the 1985 current budget in the provision for Reserves section (Control Account No. 0377) and not in the City Clerk's budget. Any funds available from the 1984 year end surplus may be considered to allocate partial funding of this Reserve.

(c) That the Reserve for Metric Conversion (Account No. 0280-33) in the amount of $86,131. and Preliminary Engineering (Account No. 0280-23) in the amount of $38,045. be closed, and the funds in the Reserves to a total of $124,176. be transferred to the Reserve for Contingency Account No. 0280-32.

(d) That the Reserve for Property Purchases Account No. 0280-02 be maintained at or around a net recommended level of $2,500,000. and the excess fund balance of this Reserve for Property Purchases, in the amount of $1,300,000. be transferred to the Reserve for Sick Leave on Resignation or Retirement Account No. 0280-30.

(e) That the Finance Committee undertake a review of the status of the reserve accounts on an annual basis.

NOTE: Attached as Schedule "A" is a summary of the reserve accounts. Copies of the details relative to each of the reserve accounts is available from the Secretary, Finance Committee.

20. Section 58 of the Thirteenth Report of the Transport and Environment Committee makes reference to the construction of an alleyway from Caroline to Hess Street and requests the Finance Committee to recommend the method of financing.

In this regard, the Finance Committee recommends that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct an alleyway, first north of King street, at an estimated cost of the owner's share of $10,036., as well as the City's share $13,464., totalling $23,500. by the issuance of debentures totalling $23,500. for a period not to exceed 15 years.

21. Section 55 of the Thirteenth Report of the Transport and Environment Committee makes reference to the installation of additional catchbasins on Brookstream Court, Forestgate Drive and Galloway Court at an estimated cost of $17,000. and requests the Finance Committee to recommend the method of financing.

In this regard, the Finance Committee recommends:

(a) that the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval of the project at an estimated cost to the City of $17,000. by the issuance of debentures totalling $17,000. for a period not to exceed 15 years; and further,

(b) that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures for a total amount of $17,000. for a term not to exceed 15 years.

Respectfully Submitted,

ALDERMAN P.J. PETERSON, CHAIRMAN
FINANCE COMMITTEE

J. J. Schatz, Secretary
1984 July 26

Schedule "A" as referred to in Section 19, subsection(e) of the Thirteenth Report of Finance Committee.

City of Hamilton
Treasury

SUMMARY OF RESERVE ACCOUNTS
as at May 31, 1984

Page Number (1)	Account Number (2)	Name of Account (3)	General Ledger Balance (4)	Commitment (5)	Balance Available (6)	Reserve Balance Unfunded by (7)
Reserve Accounts						
1	0280-39	Acquisition of Historic Properties	293,783		293,783	
2	0280-35	Acquisition of Lands in the Alpha Enclaves	295,625	14,703	280,922	
3	0280-11	Acquisition of Properties Under the Planning Act	1,227,308	275,270	952,038	610,555
4	0836	American Exchange	173,409		173,409	40,000
5	0280-10 & 27	Capital Projects - General	863,942	200,000	663,942	1,336,058
6	0636	City Vehicle Insurance	506,065		506,065	
7	0280-32	Contingency	2,038,139	385,000	1,653,139	1,346,861
8	0280-19 & 0285	Debt Charges	3,006,998	1,343,117	1,663,881	
9	0280-29	Emergency Snow Removal	500,000		500,000	500,000
10	0280-47	General Concrete	2,900		2,900	
11	0280-46	Hamilton Convention Centre - Capital Projects	400,025		400,025	
12	0280-28	Hamilton Place Capital Projects	40,587		40,587	
13	2516	Hamilton Public Library - Future Capital Construction (1)	27,230		27,230	
14	0280-43	Hamilton Public Library - Capital Projects (1)	595,055		595,055	
15	0280-42	Historic Fire Engine	4,000		4,000	
16	0280-26	Industrial Land Debt Charges	226,728		226,728	
17	0280-44	Maintenance of Playground Facilities	20,276		20,276	
18	0280-24	Major Repairs and Improvements to City Owned Properties	147,455		147,455	
19	0280-03	Major Repairs to Mobile Equipment	407,292		407,292	92,708
20	0280-33	Metric Conversion	86,131		86,131	
21	0280-31	Motorized Equipment	266,623		266,623	
22	0280-14	Off-Street Parking	1,041,948	100,000	941,948	

(1) Hamilton Public Library Board should consider combining these two Reserves into one Reserve.

City of Hamilton
Treasury

SUMMARY OF RESERVE ACCOUNTS
as at May 31, 1984

Page Number (1	Account Number (2)	Name of Account (3)	General Ledger Balance (4)	Commitment (5)	Balance Available (6)	Reserve Balance Unfunded by (7)
23	0280-45	Park Improvements at Ivor Wynne Stadium	206,903		206,903	
24	0280-23	Preliminary Engineering	38,045		38,045	
25	0280-02	Property Purchases	6,340,553	2,515,365	3,825,188	(1,300,000)
26	0280-38	Realty Taxes Beach Strip Properties	61,058		61,058	
27	0280-01	Replacement of Mobile Equipment	4,128,909	265,888	3,863,021	1,696,489
28	0280-12	Services for Unsubdivided Lands Development	1,370,239	300,000	1,070,239	
29	0280-30 & 0377-2898	Sick Leave on Resignation or Retirement	615,436		615,436	9,003,000
30	0280-36	Uninsured Losses	25,999	8,785	17,214	32,786
31	1012 to 1120	Victor K. Copps Trade Centre/Arena	9,645,700		9,645,700	
32	0280-37 & 0377-4000	Workers' Compensation	417,285		417,285	
33	0282	Working Funds, Inventories, Reduction of Taxes and Prepaid Expenses	8,720,080		8,720,080	5,317,053
		Total Reserve Accounts	43,741,726	5,408,128	38,333,598	18,675,510

City of Hamilton
Treasury

SUMMARY OF RESERVE ACCOUNTS
as at May 31, 1984

Page Number (1)	Account Number (2)	Name of Account (3)	General Ledger Balance (4)	Commitment (5)	Balance Available (6)	Reserve Balance Unfunded by (7)
Local Boards' Reserve Accounts						
34	0979	Hamilton Performing Arts - Innovative Programming	17,551		17,551	
35	0983	Hamilton Performing Arts - Special Projects	7,490		7,490	
36	0984	Hamilton Performing Arts - Piano Replacement	8,900		8,900	
37	2284	Hamilton Public Library - Purchase of Books	-		-	
38	2285	Hamilton Public Library - Miscellaneous Collections	30,118		30,118	
39	2280	Hamilton Public Library - Mobile Equipment	44,694		44,694	
40	2282	Hamilton Public Library - Repair Grounds	778		778	
41	2283	Hamilton Public Library - Repair Buildings	31,296		31,296	
42	2286	Hamilton Public Library - Film Replacement	6,341		6,341	
43	2287	Hamilton Public Library - Automated Acquisition	10,000		10,000	
		Total Local Boards' Reserve Accounts	157,168		157,168	
		Total Reserve Accounts including Local Boards' Reserve Accounts	43,898,894	5,408,128	38,490,766	18,675,510

1984 July 24
/k

D

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTEENTH** Report for 1983 and respectfully recommends:

1. That the following recommendations of the Watershed Plan, as contained in APPENDIX "A" attached hereto, be referred to the appropriate Committees of Council for consideration:

   - Recommendation # 34 - Management of King's Forest - Parks and Recreation Committee;

   - Recommendation # 94 - Master Plan for Confederation Park - Parks and Recreation Committee;

   - Recommendation #103 - Management of Hamilton-Scourge Project - Special Committee to Administer the Hamilton-Scourge Project; and

   that upon their resolve, the Hamilton Region Conservation Authority be advised accordingly.

   Explanatory Note - The Hamilton Region Conservation Authority has submitted its Watershed Plan to the City for comment. A review of the Plan reveals that it has no direct impact on the City's planning intentions.

2. That approval be given to **Zoning Application 84-38 by Forest James Investments Ltd.,** prospective owner, requesting a change in zoning from "L-c" (Planned Development) District to "H" (Community Shopping and Commercial, etc.) District, to permit a restaurant in the existing building on property located at No.78 Vine Street, as shown on the attached plan marked as APPENDIX "B" on the following basis:

   (a) That the subject property be rezoned from "L-c" (Planned Development) District to "H" (Community Shopping and Commercial, etc.) District.

   (b) That the "H" (Community Shopping and Commercial, etc.) District provisions as contained in Section 14 of Zoning By-law No.6593 be modified to include the following variance:

      (i) that notwithstanding Section 14(1) only a restaurant within the existing building, together with ancillary signage, shall be permitted.

   (c) That the amending By-law be added to Section 19B of Zoning By-law No.6593 as S-879 and that the subject land on Zoning District Map W-4 be notated S-879.

   (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Map W-4.

   (e) The proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the by-law is to provide for a change in zoning from "L-c" (Planned Development) District to "H" (Community Shopping and Commercial, etc.) District modified, to permit a restaurant in the existing building, and ancillary signage on property located at No.78 Vine Street.

3. (1) That approval be given to **Zoning Application 84-42, Ontario Land Corporation,** owner, to establish a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District and "C" (Urban Protected Residential, etc.) District, for property located on the east side of Upper Wentworth Street and north of Mohawk Road East, as shown on the attached plan marked as APPENDIX "B", on the following basis:

   (a) That the lands described as AREA 1 be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District;

   (b) That the lands described as AREA 2 be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District;

   (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No.6593 and Zoning District Maps E-26 and E-27;

   (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The By-law provides for the changes in zoning for the lands shown on the attached plan marked on APPENDIX "B" on the following basis:

Area 1 - from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District for park purposes.

Area 2 - from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District, to permit conventional single-family dwellings in accordance with a Registered Plan of Subdivision.

(2) That the City of Hamilton request the Region of Hamilton-Wentworth, to implemment in 1984 storm sewer relief on Franklin Road, Darcy Court and East 25th Street.

4. That approval be given to **Zoning Application 84-43, Demarclin Funeral Services Limited,** prospective owner, to further modify the established "H" (Community Shopping and Commercial, etc.) District regulations applicable to property located at No.1774 King Street East, as shown on the attached plan marked as APPENDIX "C", on the following basis:

   (a) That Zoning By-law No.6593 as amended by By-law No.81-154, be further amended as follows:

      (i) the provisions of Sections 2 and 3 of By-law No.81-154 shall not apply to the subject lands.

(b) That the "H" (Community Shopping and Commercial, etc.) District provisions as contained in Section 14 of By-law No.6593 applicable to the subject lands, be modified to include the following variance as a special provision:

(i) that notwithstanding the provisions of Section 14(1) of Zoning By-law No.6593 a funeral home shall be permitted.

(c) That the amending By-law be added to Section 19B of Zoning By-law No.6593 as Schedule S-742b and that the subject land on Zoning District Map E-66 be notated S-742b.

(d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No.6593 and Zoning District Map E-66.

(e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the By-law is to further modify the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at No.1774 King Street East, as shown on the attached plan marked as APPENDIX "D".

The effect of the By-law is to permit the existing funeral home at No.1919 King Street East to relocate at No.1774 King Street East.

5. (1) That approval be given to **City Initiative 84-E** to amend Section 4(3)(b) of Zoning By-law No.6593 as follows:

3.b) The erection or conversion or use of a building for any residential or institutional purposes upon a lot or tract of land which does not for a distance of 4.5 metres abut upon a public highway of a width of at least 12.0 metres is hereby prohibited;

Provided that this provision shall not apply to:

(a) . . . . . .

(b) the erection or conversion or use of a building for residential or institutional purposes; or the erection or use of a building for an accessory use, on a lot which fronts on the following public highways and private ways established and so used on the 29th day of March, 1960, namely:

1.
2.
3. . . . . 38, etc.
39. Malta Drive.

(2) That the City Solicitor be directed to prepare a By-law to amend the provisions of Zoning By-law No.6593.

(3) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Explanatory Note - The purpose of the By-law is to provide a text amendment to the provisions of Section 4, Prohibited Uses, of Zoning By-law No.6593, by adding Malta Drive to the list of public highways or private ways having a width of less than 12 metres.

The effect of the By-law is to permit the erection or conversion or use of a building for residential or institutional purposes, or the erection or use of a building for an accessory use on a lot fronting upon certain highways and private ways identified by name and listed in the City of Hamilton Zoning By-law.

6. That approval be given to **Zoning Application 84-40, Don-Lin Lodging Inc., owner**, to establish a modification to the "D" (Urban Protected Residential) - One and Two Family Dwellings, etc.) District regulations for property located at Nos. 213, 219 and 223 Balsam Avenue South, as shown on the attached plan marked as APPENDIX "E" on the following basis:

(1) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations applicable to the subject lands be modified to include the following variances as special requirements:

(i) That notwithstanding the provisions of Section 9.(1)(iib) of Zoning By-law No. 6593, a residential care facility for the accommodation of not more than 23 residents shall be permitted for all the premises (Blocks 1 and 2) located at Nos. 213, 219 and 223 Balsam Avenue South, of which not more than 9 residents shall be in No. 223 Balsam Avenue South (Block 2).

(ii) That the provisions of Section 10(6) of Zoning By-law No. 6593 shall not apply.

(iii) That the use of No. 223 Balsam Avenue South (Block 2) as a residential care facility shall only be in conjunction with the existing residential care facility located at Nos. 213 and 219 Balsam Avenue South (Block 1).

(iv) That Section 18A Parking and Loading Requirements - Required Parking for Residential, Institutional, Public and Commercial Uses of Zoning By-law No. 6593 shall not apply with respect to a residential care facility.

(v) That Section 4(3)(a) of Zoning By-law No. 6593 shall not apply.

(vi) That nothing in Zoning By-law No. 6593 shall prevent the physical connection of the existing building located at No. 223 Balsam Avenue South (Block 2), with the existing building located at No. 219 Balsam Avenue South (Block 1).

(2) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-880, and that the subject land on Zoning District Map E-34 be notated S-880.

(3) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-34.

(4) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning area.

Explanatory Note - The purpose of the by-law is to provide for a modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District applicable to property located at Nos. 213, 219 and 223 Balsam Avenue South (Blocks 1 and 2), shown on the attached plan marked as APPENDIX "E".

The effect of the by-law is to permit a residential care facility for the accommodation of a maximum of 23 residents within the existing buildings located at 213, 219 and 223 Balsam Avenue South (Blocks 1 and 2) of which not more than 9 residents shall occupy No. 223 Balsam Avenue South (Block 2).

In addition, the by-law also provides for the following special requirements:

- that the residential care facility located at No. 223 Balsam Avenue South shall be permitted to operate within 180 metres (590 feet) of the existing residential care facility located at No. 213 and 219 Balsam Avenue South (Block 1);
- that the residential care facility located at No. 223 Balsam Avenue South (Block 2) shall only be used in conjunction with the existing residential care facility located at Nos. 213 and 219 Balsam Avenue South (Block 1);
- that no parking spaces shall be required for the residential care facilities;
- that two buildings used for residential purposes be permitted on lands at Nos. 213 through 223 Balsam Avenue South (Blocks 1 and 2);
- that the existing building located at No. 223 Balsam Avenue South (Block 2) may be physically connected with the existing building located at No. 219 Balsam Avenue South (Block 1).

7. (1) That **approval be given to an amended Zoning Application 84-39,** Royal Oak Dairy, a division of Ault Foods Limited, owner, to establish modifications to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to properties located at No. 246 Victoria Avenue North and Nos. 207, 209, 235, 239, 241 and 243 East Avenue North, and 315 Robert Street, as shown on the attached plan marked as APPENDIX "F", on the following basis:

(i) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions of By-law No. 6593 applicable to the lands described as Block "1" on the attached plan marked as APPENDIX "F", be modified to include the following variance as a special provision:

(A) That notwithstanding the provisions of Section 11(1) of By-law No. 6593, an office and storage use shall be permitted in the existing building, and a parking lot subject to subsection 13C(4) and 13C(5) of Section 13C "G-3" (Public Parking Lots) District of By-law 6593 shall be permitted as an accessory use to Royal Oak Dairy.

(ii) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions of By-law No. 6593 applicable to the lands described as Block "2" on the attached plan marked as APPENDIX "F", be modified to include the following variances and special requirements.

(A) That notwithstanding the provisions of Section 11(1) of By-law No. 6593, a parking lot shall be permitted, subject to subsections 13C(4), 13C(5) and Section 13C "G-3" (Public Parking Lots) District of By-law No. 6593.

(B) That a minimum 1.5m (4.92 ft.) wide planting strip shall be provided and maintained along the northerly side lot line.

(C) That a visual barrier not less than 1.2m nor more than 2.0m high shall be provided along the East Avenue North frontage.

(iii) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District provisions of By-law No. 6593 applicable to the lands described as Block "3" on the attached plan marked as APPENDIX "F" be modified to include the following variance and special requirements:

(A) That notwithstadning the provisions of Section 10(1) of By-law No. 6593, a parking lot shall be permitted, subject to the provisions of subsection 13C(4), 13C(5) of Section 13C "G-3" (Public Parking Lots) District of By-law No. 6593.

(B) That a visual barrier not less than 1.2m nor more than 2.0m high shall be provided along the East Avenue North frontage.

(iv) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District provisions applicable to the lands described as Block "4" on the attached plan marked as APPENDIX "F", be modified to include the following variances and special requirements.

(A) That notwithstanding the provisions of Section 10(1) of By-law No. 6593, an office and storage use accessory to Royal Oak Dairy, shall be permitted in the existing building.

(B) That a minimum 3.0m (9.84 ft.) wide planting strip, and a visual barrier not less than 1.2m nor more than 2.0m high shall be provided along the southerly lot line, except for the area occupied by an access driveway and the existing building.

(v) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions of By-law No. 6593 applicable to the lands described as Block "5" on the attached plan marked as APPENDIX "F", be modified to include the following variances and special requirements.

(A) That notwithstanding the provisions of Section 11(1) of By-law No. 6593, on office and storage use accessory to Royal Oak Dairy, shall be permitted in the existing building.

(B) That a visual barrier not less than 1.2m nor more than 2.0m high shall be provided along the East Avenue North frontage.

(vi) That the amending by-law be added to Section 19 B of Zoning By-law No. 6593 as Schedule S-881, and that the subject lands on Zoning District Map E-12 be notated S-881.

(vii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-12.

(viii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

(ix) That a site specific notation be made on the Landsdale Neighbourhood Plan to recognize the dairy office/storage use and ancillary parking.

(2) That approval of the subject zoning By-law be withheld until such time as the following condition has been satisfied:

(i) That the applicant enter into an Encroachment Agreement with the City of Hamilton with respect to the location of planter boxes and plantings within the East Avenue North road allowance.

(3) That the City's Real Estate Department be instructed to prepare a list of prospective properties suitable for an off-site location of Royal Oak Dairy Trucks.

Explanatory Note: The By-law provides for modifications to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District, and the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations of Zoning By-law No. 6593 for those lands shown on the attached plan marked as APPENDIX "F" to permit the following:

Block 1 - "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified to permit parking and the existing building to be converted into an office and storage use for Royal Oak Dairy.

Block 2 - "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified to permit a parking lot in conjunction with Royal Oak Dairy.

In addition, the by-law requires that a minimum 1.5m (4.92 ft.) wide planting strip be provided and maintained along the northerly property line, and that a visual barrier 1.2m to 2.0m in height be provided along the East Avenue North frontage.

Block 3 - "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District, modified to permit a parking lot in conjunction with Royal Oak Dairy. The by-law also requires that a visual barrier be provided along the East Avenue North frontage 1.2m to 2.0m in height.

Block 4 - "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District, modified to permit the existing building to be converted into an office and storage use for Royal Oak Dairy.

In addition, the by-law requires that a minimum 3.0m (9.84 ft.) wide planting strip and visual barrier not less than 1.2m and not more than 2.0m high be established along Robert Street, except for the area occupied by the access driveway and existing dwelling.

Block 5 - "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified to permit the existing building to be converted into an office and storage use for Royal Oak Dairy.

In addition, the by-law requires that a visual barrier be provided along the East Avenue North frontage 1.2m to 2.0m in height.

8. That **Zoning Application 84-32, Harry Sinha and Frank Chudyk, owners,** requesting a change in zoning from "B-1" (Suburban Agricultural and Residential, etc.) District to "DE-3" (Multiple Dwellings) District for property located at Nos. 1983 and 1989 Main Street West, as shown on the attached plan marked as APPENDIX "G", to permit the construction of a multiple dwelling be denied for the following reasons:

   (a) the proposal would contribute to increased traffic conflicts at this location on a major arterial road;

   (b) the proposed development would be out of character with established development in the surrounding area.

9. (a) That approval be given to **Application SA-84-05, Robert Shelley Construction Limited and Seebeck Construction Company Limited,** owners, to establish a draft plan of subdivision located on the east side of Upper Paradise Road, north of Gemini Drive, subject to the following conditions:

   (i) That the approval apply to the plan prepared by A. J. Clarke and Associates dated 1984 March 19 revised by the deletion of Block 54 and the re-lotting of lots 13 to 18 inclusive as shown on the draft approved plan.

   (ii) That the road allowances be dedicated as public highways on the final plan.

   (iii) That the plan not receive final approval until such time as municipal services are available to the lands.

   (iv) That the required widening for Upper Paradise Road shown as Block 55 be dedicated as public highway on the final plan.

   (v) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

   (vi) That the proposed subdivision conform with the zoning by-law approved under The Planning Act.

   (vii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.

   (viii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

   (ix) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.

   (x) That the dead-end of the road allowance created by the plan be terminated in a 0.5 metre reserve to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.

   (xi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

(b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owners to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-84-05) Robert Shelley Construction Limited and Seebeck Construction Company Limited (owners) proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

10. (1) (a) That approval be given to **Application SA-84-02, Dundurn Construction Company Ltd.**, owner, to establish a draft plan of subdivision located north of Highway No.8 (Queenston Road) and east of Lake Avenue, subject to the following conditions:

(i) That this approval apply to the plan prepared by J. P. Nouwen, O.L.S., dated 1984 March 01, bearing drawing No.83140-1, revised to show a road allowance between lots 65 and 66.

(ii) That the road allowances be dedicated as public highways on the final plan.

(iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

(iv) That the proposed subdivision conform with the zoning by-law approved under The Planning Act.

(v) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.

(vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

(vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot on the final plan.

(viii) That the dead-ends and open-sides of the road allowances created by the plan be terminated in 0.5 metre reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.

(ix) That City Council by resolution agree to take steps to acquire the lands required for the extension of street "C" to connect with Lake Avenue and to establish said connection by a street by-law.

(x) That street "B" connect with Lake Avenue and be established by a street by-law.

(xi) That the slope adjacent to lots 50 - 70 be stabilized and protected from erosion to the satisfaction of the Hamilton Region Conservation Authority and the City of Hamilton.

(xii) That a 1.5 metre planting strip be provided to the satisfaction of the City along the rear lot lines of those lots that abut the commercially zoned lands in the City of Stoney Creek.

(xiii) That the applicant prepare and implement a grading plan satisfactory to the Hamilton Region Conservation Authority, said plan to show the following:

(a) existing and final grades of lots 1, 2; 50 - 70 and 75 - 83.

(b) existing and final grades on Street "B", east of Lake Avenue.

(xiv) That the applicant prepare and implement a drainage plan satisfactory to the Hamilton Region Conservation Authority.

(xv) That a temporary limit of work fence be erected and maintained 3 metres from the crest of slope on lots 50 - 70 and 75 - 83 for the duration of construction and grading on the site.

(xvi) That Block 104 be conveyed to the City of Hamilton for a public walkway.

(xvii) That Block 107 be developed only in conjunction with abutting properties.

(xviii) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

(b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the condition of approval established by the Hamilton-Wentworth Region with respect to this application (SA-84-02), Dundurn Construction Company Limited, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

(2) That the approved Riverdale East Neighbourhood Plan be amended to reflect the subject draft plan of subdivision.

11. That the recommendation of the Planning and Development Department to change the Riverdale Neighbourhood Plan in accordance with Map 1 (attached hereto as APPENDIX "G") **be denied.**

12. That the report on the **King Street sidewalk widening** - Mary to Wellington - from the Central Area Plan Implementation Committee be referred to the Downtown Action Plan Co-ordinating Committee.

13. (a) That City Council appoint the Mayor or his nominee, or the Chairman of the Planning and Development Committee or his nominee as President of the Municipal Non-Profit Board of Directors;

(b) That City Council appoint two Aldermen to the Board;

(c) That City Council appoint four or five citizen members of the Board of Directors to be selected from the legal profession, architects, property management, social services, financial management, housing development, and labour; and

(d) That Aldermen appointed to the Board serve their term of elected office, while citizen members serve overlapping terms of two years.

Explanatory Note - The City has approved the establishment of a Municipal Non-Profit Housing Corporation to develop housing for low-income families. Responsibility for appointment of the Board of Directors for the Corporation and term of office rests with Council. A combination of municipal Councillors and citizens is recommended with overlapping terms of office.

14. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:-

(a) 263 King Street West
(b) 204 Rymal Road West
(c) 984 Upper Sherman Avenue
(d) 992 Upper Sherman Avenue

15. That the City Solicitor be authorized and directed to prepare a by-law directing the Building Commissioner to supply and install a storm drainage system for No.154 Grenfell Street and to supply and install, where missing, a wall cap flashing as required on the Order dated 1984 April 26, pursuant to Section 31(7) of The Planning Act, 1983, registered as Instrument No.200914 C.D. in the Land Registry Office for the Registry Division of Wentworth, for submission to City Council.

16. That the City Solicitor be instructed to prepare a by-law to rescind By-law No.84-53 dated 1984 March 13, which was passed by City Council for compliance of an Order dated 1983 November 10, for the demolition of the garage, cutting out the brushwood, removing of all debris from the site and to make general minor repairs and painting to the exterior of the dwelling located at No.269 Province Street South.

17. That the following requirements approved by Regional Council on 1984 April 17, be accepted as requirements for the proposed Pedestrian Bridge over King Street:

(a) That the minimum clearance over the roadway be 4.42 metres;

(b) That no drainage from the structure be allowed to fall onto the road allowance;

(c) That normal maintenance functions be undertaken from within the structure;

(d) That provision be made on the east side of the structure to permit the fastening of banners so that in future different organizations will not have to use utility poles or special banner poles for this function;

(e) That the City of Hamilton save the Region harmless from all actions, interests, claims, demands, costs, damages, expenses and loss associated with the Pedestrian Bridge.

Explanatory Note - The functions required by the above points have already been incorporated into the design of the Pedestrian Bridge. No costs additional to those already contemplated are required.

18. That the Director of Real Estate be authorized to retain the services of an independent fee appraiser to prepare an estimate of market value suitable for service pursuant to the Expropriations Act, for the property now being expropriated by the City at Nos.65 and 69 Fullerton Avenue.

19. That the purchase price involving the sale of City owned land having a frontage of 294.44' along the eastern limit of James Street North between Ferrie and Simcoe Streets to Victoria Park Community Homes be reduced from $140,000 to $128,000, subject to the approval of the Minister of Municipal Affairs and Housing and Canada Mortgage and Housing Corporation.

    Explanatory Note - On 1983 November 29, City Council approved the sale of these lands for a purchase price of $140,000 (Item 12 of the Twenty-third Report of the Planning and Development Committee). The recommendation to reduce the price is as a result of less intense development being proposed for the site.

20. That the sale of surplus City owned land known as 17 Tecumseh Street to Victoria Park Community Homes, Inc. containing an area of 1,285.49 m^2 duly executed on 1984 June 29, and scheduled for closing on 1984 September 21, be completed for the sum of $29,000.00.

    A deposit of $1,000.00 is being held by the Treasury Department. The proceeds of this sale are to be credited to Account 0280-02.

    This offer is conditional upon the Purchaser arranging suitable financing consisting of an insured loan with interest assistance under Section 56.1 of the National Housing Act on or before the date of closing.

    In the event the said financing and assistance are not procured by the date of closing, the Offer to Purchase shall become null and void and the deposit monies shall be returned in full to the Purchaser without interest or penalty.

    Included in the purchase price is the cost of the City Development Charge. It is understood and agreed that the Purchaser is responsible for the payment of the Region's Development Charge and the 5% Cash Payment in lieu of Park Dedication for eight walk-up style apartment units.

    The closing of the Offer to Purchase is subject to the approval of the Minister of Municipal Affairs and Housing and Canada Mortgage and Housing Corporation.

21. That the City of Hamilton acknowledge receipt of a cheque in the sum of $75,000.00 from the T. Eaton Company Limited representing payment of the penalty for not commencing with the next stage of their redevelopment programme in accordance with the agreement with the City dated 1978 July 7 (72611 L.T.) and furthermore, that the City indicate to the T. Eaton Company Limited that while the City encourages Eatons to redevelop in the area that the $75,000 will not be refunded.

    Explanatory Note - In a letter submitting the $75,000 penalty fee, the T. Eaton Company Limited indicated that "it would be reasonable, should they be able to commence redevelopment in the next few years, that consideration be given to refunding or creating a credit of the $75,000."

22. (a) That the City Solicitor be directed to amend the standard City Subdivision Agreement to require the pre-registration of maintenance easements and to require the location of buildings to conform to the said easements in all R-4 (Small Lot Single Family) zoning districts; and

That the City Solicitor be made responsible for the administrative work to see that the above-mentioned easements are registered.

(b) That should City Council consider the amount of extra administration arising out of the final recommendation unacceptable, any reference to maintenance easements be eliminated.

23. That the Corporation of the City of Hamilton accept the following **Cash Payments in lieu of 5% Parkland Dedication:**

(a) The sum of $2,924.15 in connection with Oakland Park, Extension No.4 final plan of subdivision.

Explanatory Note - These lands are located west of Grays Road and south of Federal Street in the Riverdale East Neighbourhood, Hamilton.

(b) The sum of $30,612.36 in connection with Gilkson Woods Addition, Phase 3 final plan of subdivision.

Explanatory Note - These lands are located east of Upper Paradise Road and south of the proposed Mountain Freeway in the Gilkson Neighbourhood, Hamilton.

(c) The sum of $30,289.78 in connection with Thorner No.3 final plan of subdivision.

Explanatory Note - These lands are located west of Upper Sherman Avenue and south of Jasmine Street in the Thorner Neighbourhood, Hamilton.

24. (a) That the Corporation of the City of Hamilton accept the revised sum of $41,370.34 as cash payment in lieu of 5% parkland dedication in connection with Glen Arms Manor - Phase 2, plan of subdivision.

(b) That Item 12 of the Fifth Report of the Planning and Development Committee as adopted by City Council on 1984 March 27 be rescinded; and

Explanatory Note - These lands are located west of Mount Albion Road and north of Greenhill Avenue in the Red Hill Neighbourhood, Hamilton. A portion of Montmorency Drive road allowance was acquired by the City from the abutting landowner and given to the Developer to be included in the plan for road allowance purposes. On 1984 May 8, City Council approved a request from the developer that this portion of the road not be included in the calculations for the 5% cash payment. As a result, the cash payment in lieu of 5% Parkland dedication has been revised.

25. That implementation of the 2nd-Priority-Actions, Downtown Hamilton Action Plan, be deferred to the 1985 construction season in order that staff may investigate the feasibility of establishing loading bays/widened sidewalks on King Street East, between Mary and Wellington Streets, and the diversion of "through traffic" by alternate routes and methods.

26. That the courier service charges in the amount of $32.50 in connection with the Downtown Hamilton Action Plan - Distribution of Tender Documents, be charged to Account No.0405-A 3402-1 (Gore Park Development - Stage II Contingency).

27. (a) That Invoice Nos.922 and 927, duToit Associates Ltd., in the total amount of $2,093.66, be paid; and

    (b) That the Finance Committee be requested to recommend a method of financing the cost to which reference is made above.

28. (a) That a Handicap Grant for Mr. M. Nakoneshny, 477 East 36th Street not be approved because of the assets of the owner and the financial assistance he is receiving from the Provincial Government's Vocational Rehabilitation Services Programme.

    (b) That a Handicap Grant for Mrs. E. Anderson, 8 Blackthorne Avenue not be approved because of the income of the owner and the financial assistance she is receiving from the Provincial Government's Vocational Rehabilitation Services Programme.

29. That the total outstanding Hamilton Rehabilitation Programme loan for Mr. and Mrs. J. Fairmen, 51 East 23rd Street, in the amount of $5,897.16 be placed on the Tax Rolls.

30. That the following list of applicants be submitted to City Council for approval authorizing the Department of Community Development to process grants and/or loans in an amount not to exceed $7,500.00. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No.74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No.78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

    That the officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and the Hamilton Rehabilitation Programme.

Ontario Home Renewal Programme

(a)	B. Toth	73 Afton Avenue
(b)	I. Simatovic	243 Sherman Avenue South
(c)	L. Boyd	76 Frederick Avenue
(d)	M. Black	140 Limeridge Road East
(e)	R. Martin	14 East 7th Street
(f)	A. Ross	71 West 4th Street
(g)	R. Thompson	1270 Cannon Street East
(h)	J. Koll	26 Norway Avenue
(i)	S. Fasser	109 Rosslyn Avenue North
(j)	J. Van Impe	199 Locke Street North
(k)	K. Campbell	150 Adeline Avenue

Hamilton Rehabilitation Programme

(l)	T. Kennedy	42 Carousel Avenue
(m)	D. Michor	99 Rosslyn Avenue South

31. That the City of Hamilton allow the Guise Street Co-operative to use a portion of 485 John Street North as a site office for approximately one year. In lieu of a formal rental charge, the Co-operative has agreed to contribute the sum of $500.00 towards the maintenance costs and $200.00 towards heat and hydro costs presently being paid for by the present tenants, North End Information Service (NEIS) and North End Residents Organization (NERO).

32. That improvements to Roxborough Park, as requested by the McQuesten Citizens Committee at their meeting held 1984 July 05, be financed pursuant to the provisions of the O.N.I.P. in the McQuesten Redevelopment Area, at a cost not to exceed $26,000.00, subject to the approval of the Parks and Recreation Committee as to the project/details.

33. That improvements to Roxborough School Grounds as recommended by the McQuesten Citizens Committee at their meeting held 1984 July 05, be financed pursuant to the provisions of the O.N.I.P. in the McQuesten Redevelopment Area, at a cost not to exceed $16,600.00, subject to the approval of the Parks and Recreation Committee as to the project/details and the concurrence of, and execution of a suitable agreement with the Board of Education for the City of Hamilton.

34. That improvements of Hillcrest Park/Hillsdale School Grounds, as recommended by the McQuesten Citizens Committee at their meeting held 1984 July 05, be financed pursuant to the provisions of the O.N.I.P. in the McQueston Redevelopment Area, at a cost not to exceed $112,500.00, subject to the approval of the Parks and Recreation Committee as to the project/details and the concurrence of and execution of a suitable agreement with the Board of Education for the City of Hamilton and any other pertinent authorities respecting the right-of-way.

35. That improvements to Winston Churchill Recreation Centre, as recommended by the Normanhurst Citizens Committee, be financed pursuant to the provisions of the O.N.I.P. in the Normanhurst Redevelopment Area, at a cost not to exceed $37,000, subject to the approval of the Parks and Recreation Committee as to the project/details.

36. That improvements to Parkdale Park School, as recommended by the Normanhurst Citizens Committee, be financed pursuant to the provisions of the O.N.I.P. in the Normanhurst Redevelopment Area, at a cost not to exceed $30,000, subject to the approval of the Parks and Recreation Comittee as to the project/details and the concurrence of, and execution of a suitable agreement with the Board of Education for the City of Hamilton.

37. That improvements to Mahoney Park and Field House, as recommended by the Normanhurst Citizens Committee be financed pursuant to the provisions of the O.N.I.P. in the Normanhurst Redevelopment Area at a cost not to exceed $130,000, subject to the approval of the Parks and Recreation Committee as to the project/details.

38. That leave be granted to introduce the following Bills:-

(a)	Bill D-91	By-law to Amend By-law No.83-71 respecting Membership in the Board of Management of a Business Improvement Area
(b)	Bill D-92	By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No.199 Wilson Street
(c)	Bill D-93	By-law to Repeal Zoning By-law No.81-134 respecting land located at the south-east corner of Upper Sherman Avenue and Limeridge Road East
(d)	Bill D-94	By-law to Amend Zoning By-law No.6593 respecting lands located at Municipal Nos. 508 and 544 Limeridge Road East
(e)	Bill D-95	By-law to Amend Zoning By-law No.6593 respecting land located on the north side of Barton Street East, between Harmony Avenue and Division Street
(f)	Bill D-96	By-law to Amend Zoning By-law No.6593 respecting lands located in the area east of Upper Sherman Avenue and south of the Proposed Mountain Freeway
(g)	Bill D-97	By-law to Establish Site Plan Control respecting land located at Municipal No.44 Leeming Street
(h)	Bill D-98	By-law to Amend Zoning By-law No.6593 respecting lands located at Municipal Nos. 627 to 633 Queenston Road
(i)	Bill D-99	By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No.27 Bold Street
(j)	Bill D-100	By-law to Amend Zoning By-law No.6593 respecting land located at Municipal No.154 Jackson Street East
(k)	Bill D-101	By-law to Amend Zoning By-law No.6593 as Amended by By-law No.80-290, respecting Penny Arcades
(l)	Bill D-102	By-law to Amend Zoning By-law No. 6593 respecting "F-4" (Waterfront Services) District.
(m)	Bill D-103	By-law to Confirm Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted

Lynn Dale, Acting Secretary
1983 July 11

Alderman S. Collins
Acting Chairman

APPENDIX "A"

Recommendations of the Hamilton Region
Conservation Authority
applicable to
the City of Hamilton

APPENDIX "A" as referred to in item 1 of the 14th Report of the Planning & Development Committee

WATER AND RELATED LAND MANAGEMENT

GENERAL REMEDIAL MEASURES

5) That the Official Plans of the member municipalities reflect the floodplain, hazard land and environmentally sensitive area policies of the Region and the Conservation Authority, and further that floodplains and other hazard lands be zoned in separate classifications in the implementing Restricted Area Bylaws of the member municipalities. (p. 71)

6) That the Conservation Area continues to encourage sound conservation practices through municipal plan review, and further that the Authority's plan review guidelines be amended whenever required. (p. 73)

9) That member municipalities be encouraged to adopt the following urban storm water policies:

   1) the incorporation of urban drainage policies in municipal planning documents designed to maintain predevelopment run-off characteristics wherever feasible.

   2) The preparation of master drainage plans on a watershed basis in consultation and co-operation with the Conservation Authority.

   3) The requirement that development proponents implement approved storm water management plans which comply with the master drainage plans. (p. 77)

RED HILL CREEK

33) That the Conservation Authority encourages the Regional Municipality of Hamilton-Wentworth, the City of Hamilton and the Provincial Government to resolve water quality problems associated with the Upper Ottawa Street landfill site through appropriate investigations and improvements to the landfill site cover and drainage system. (p. 126)

34) That the Conservation Authority continues to express its strong opposition to the construction of the Red Hill Creek expressway, and further that the Conservation Authority encourages the City of Hamilton to develop City-owned lands in the King's Forest area and the lower Red Hill Creek valley for public open space and recreation, and further that the Conservation Authority considers negotiating a mandate with the City of Hamilton to assume the management responsibility for these lands. (p. 129)

37) That the Conservation Authority undertakes a detailed stream channel survey of Red Hill Creek for erosion control purposes, and further that the Conservation Authority provides technical assistance to the City of Hamilton and the Regional Municipality of Hamilton-Wentworth to correct erosion and sedimentation problems on Red Hill Creek with a view to improving conditions in the Windermere Basin. (p. 135)

CHEDOKE CREEK

41) That the City of Hamilton continues to operate a regular patrol and maintenance program on Chedoke Creek to prevent flooding problems and related damage downstream of the old TH&B Railway embankment. (p. 144)

LAKE ONTARIO SHORELINE AND HAMILTON HARBOUR

66) That the Conservation Authority in co-operation with the City of Hamilton and the Regional Municipality of Hamilton-Wentworth acquires the remaining four hundred and seven properties on the Hamilton Beach Strip for the purposes of flood control, public open space and recreational access to Lake Ontario. (p. 230)

72) That engineering studies and benefit/cost analyses be prepared if and when it is found that acquired lands on the Beach Strip and Confederation Park are in need of erosion protection, and further that the Conservation Authority participates in the construction of the recommended remedial measures on the basis of public benefit derived. (p. 237)

76) That the Conservation Authority continues to disallow further harbour filling through Ontario Regulation 165, R.R.O. 1980, unless it is deemed to contribute substantially to future public benefits in terms of health, aesthetics, recreation, the urban environment and the economy. (p. 242)

77) That the Conservation Authority actively participates in any future study undertaken to determine the appropriate future use of the Windermere Basin. (p. 244)

CONSERVATION AND RECREATION LAND MANAGEMENT

NIAGARA ESCARPMENT PROJECTS

91) That the Conservation Authority negotiate a mandate with the Province to assume the development and management responsibilities for the proposed 130 ha (321 ac.) Ancaster Lookout Park, subject to the availability of funds. (p. 299)

WATERFRONT PROJECTS

93) That a comprehensive Beach Strip Master Development Plan be prepared jointly between the City of Hamilton, the Regional Municipality of Hamilton-Wentworth and the Conservation Authority, and further that the Master Development Plan take into account existing and proposed developments at the Burlington side of the Beach Strip and Confederation Park, and further that the Conservation Authority be prepared to negotiate a mandeate with the City of Hamilton and other appropriate levels of government to become involved in the development, operation and maintenance of the Beach Strip. (p. 320)

94) That the Conservation Authority continues to manage Confederation Park on behalf of the Regional Municipality of Hamilton-Wentworth, and further that a Master Development Plan be prepared in co-operation with

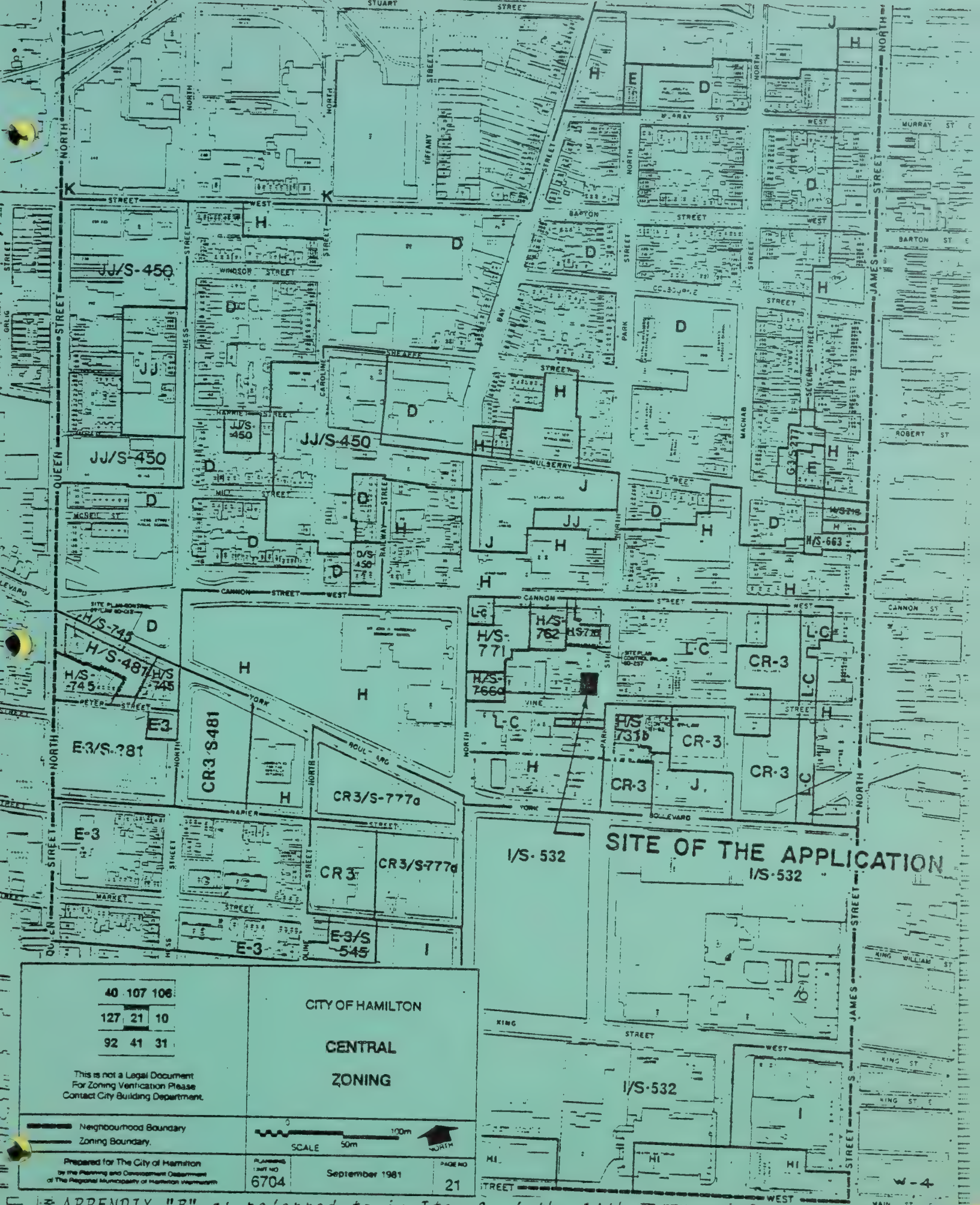
the City of Hamilton and the Regional Municipality of Hamilton-Wentworth, and further that recreational developments be undertaken in accordance with the approved Master Development Plan. (p. 322)

95) That the Conservation Authority co-operates with other government agencies, industries, private and public groups in improving the water quality of Hamilton Harbour to ultimately allow other forms of recreational use, including sport fishing and swimming. (p. 324)

96) That the Conservation Authority be prepared to negotiate a mandate with the City of Hamilton and other appropriate levels of government to become involved in the recreational development of a 15.7 ha (39 ac.) peninsula located in the west end of Hamilton Harbour. (p. 326)

SPECIAL HERITAGE PROJECTS

103) That, if so requested, the Conservation Authority considers negotiating a mandate with the Regional Municipality of Hamilton-Wentworth and the City of Hamilton to assume limited management responsibilities for the Hamilton-Scourge project at Confederation Park. (p. 352)



APPENDIX "B" as referred to in Item 2 of the 14th Report of the Planning & Development Committee

APPENDIX "C" as referred to in Item 3 of the 14th Report of the Planning & Development Committee

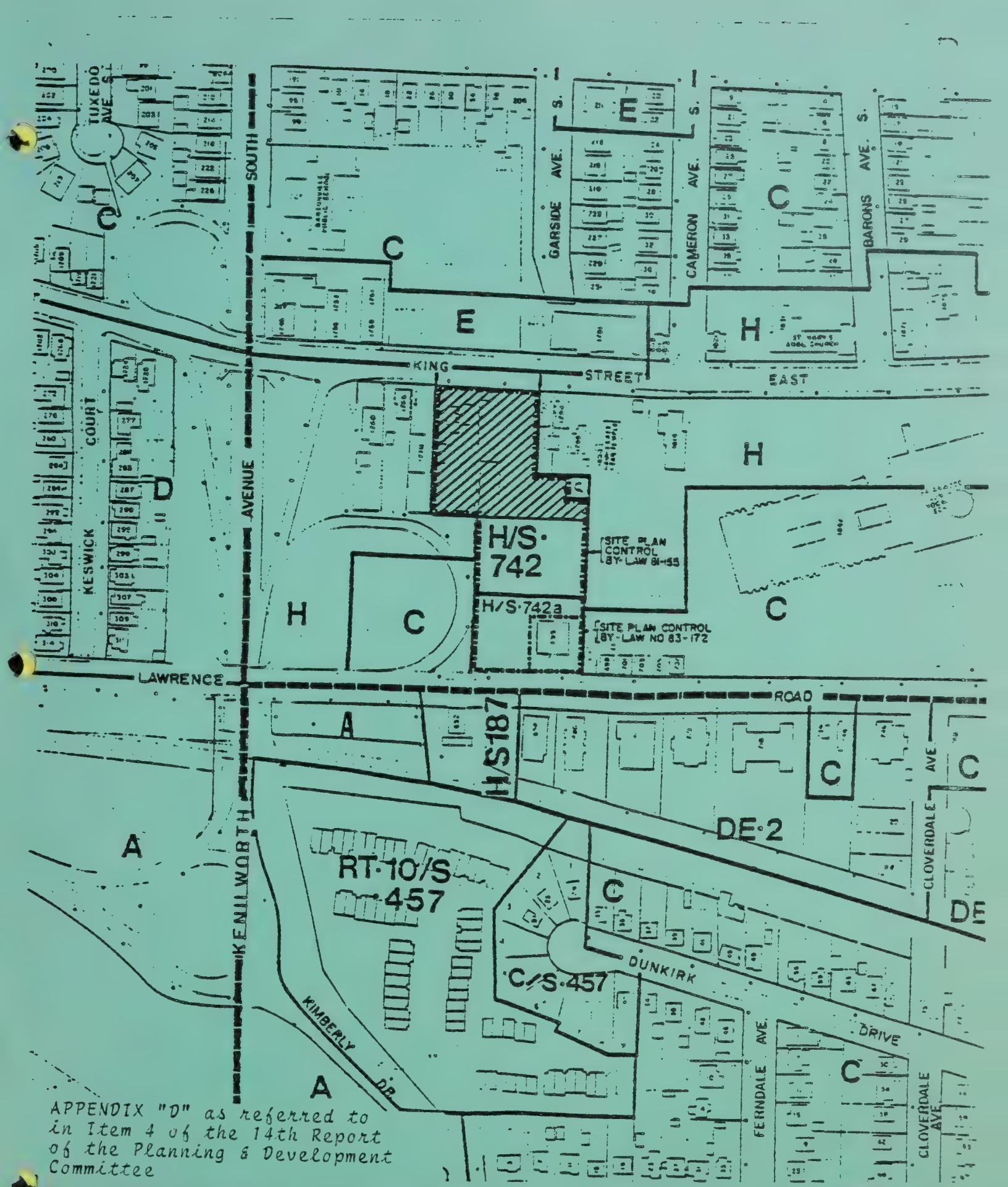
LEGEND

Change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to:

AREA 1 — "A" (Conservation, Open Space, Park and Recreation) District.

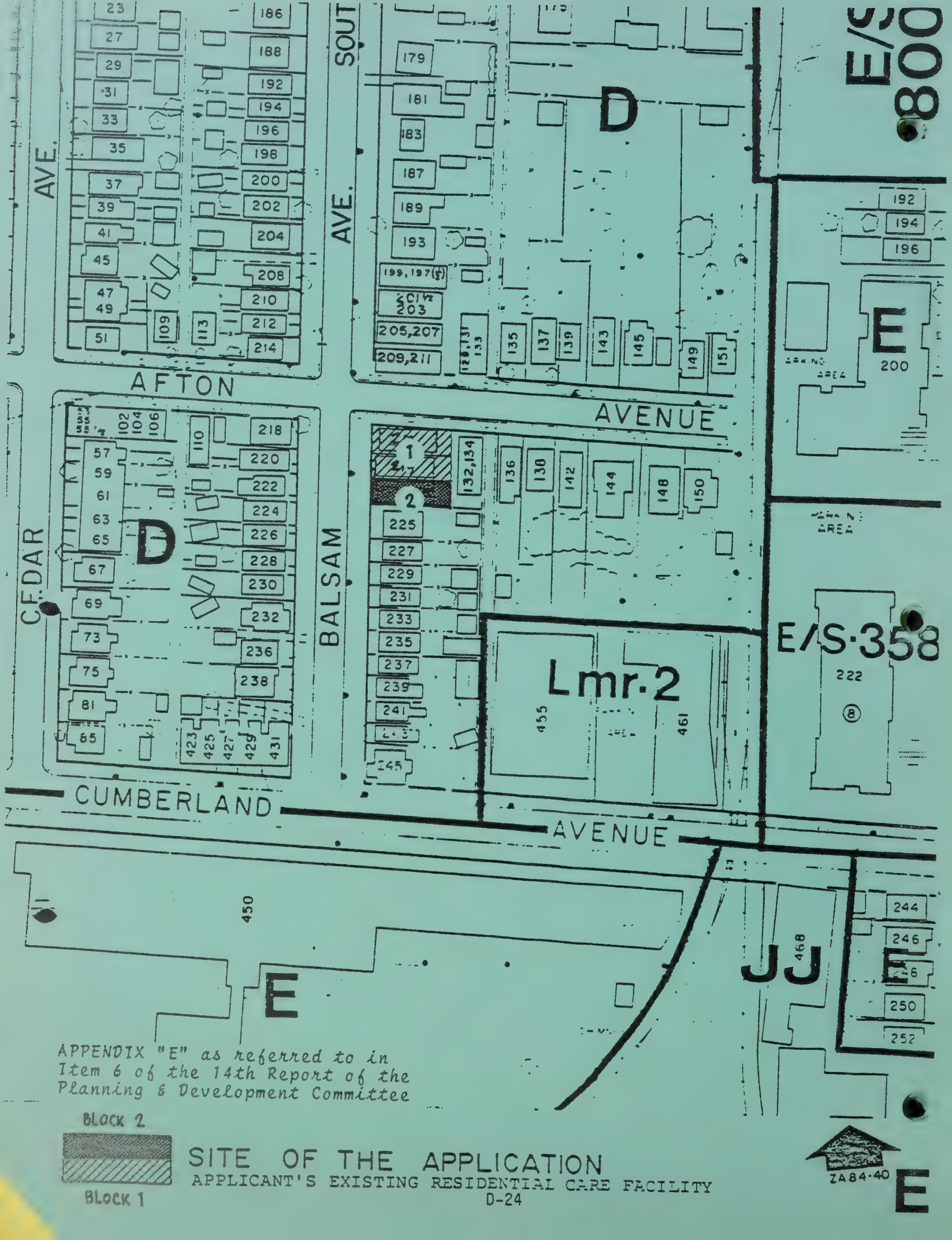
AREA 2 — "C" (Urban Protected Residential, etc.) District.

2A 84-42



APPENDIX "D" as referred to in Item 4 of the 14th Report of the Planning & Development Committee

D



APPENDIX "E" as referred to in Item 6 of the 14th Report of the Planning & Development Committee

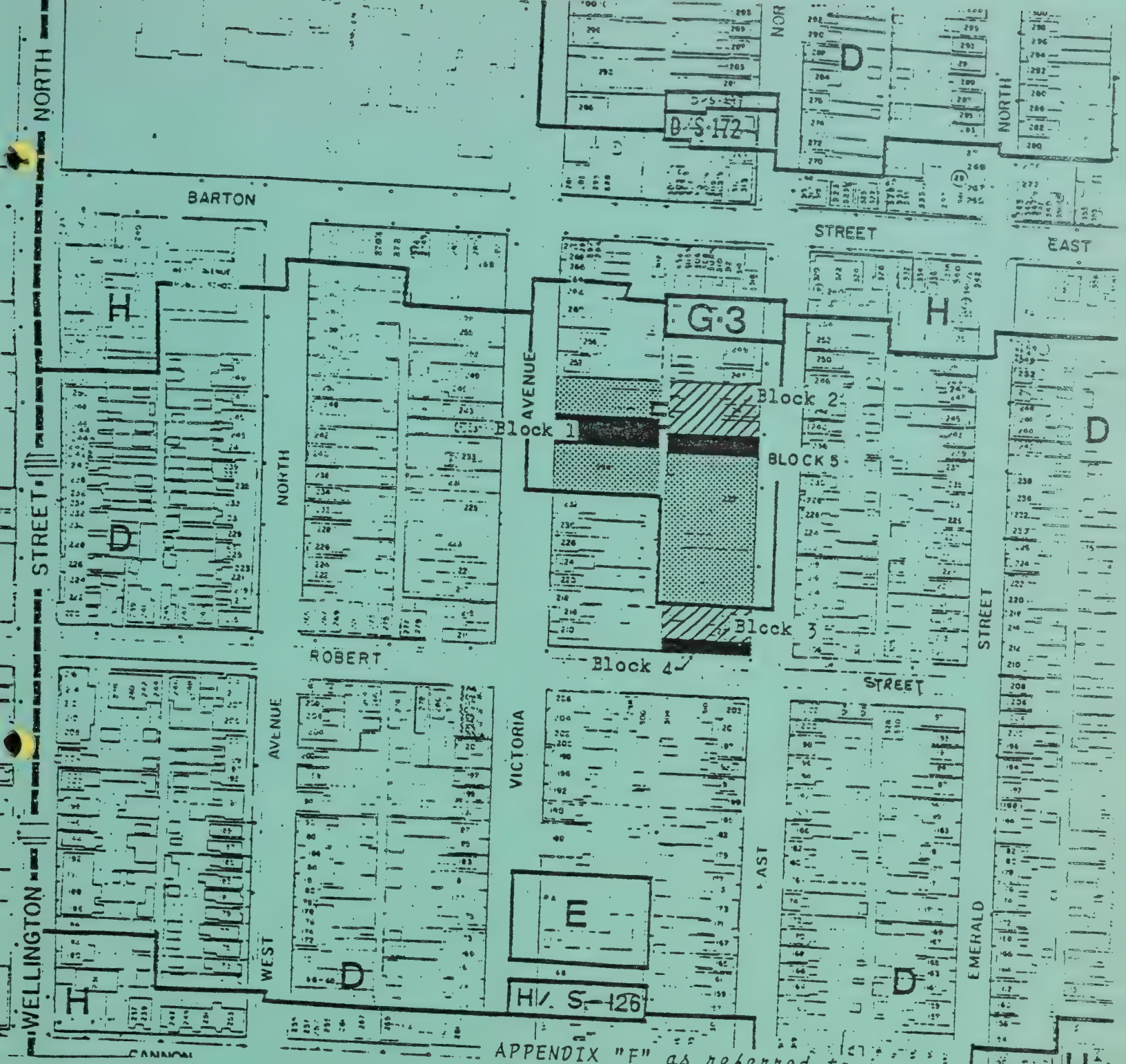
BLOCK 2

BLOCK 1

SITE OF THE APPLICATION

APPLICANT'S EXISTING RESIDENTIAL CARE FACILITY

ZA84-40



APPENDIX "F" as referred to in Item 7 of the 14th Report of the Planning & Development Committee

ZA84-39

LEGEND:

EXISTING SITE OF ROYAL OAK DAIRY.

BLOCK 1 — CHANGE IN ZONING FROM "E" TO "E" MODIFIED TO PERMIT OFFICE OR DRY STORAGE USE, AND PARKING.

BLOCK 2 — CHANGE IN ZONING FROM "E" TO "E" MODIFIED TO PERMIT PARKING.

BLOCK 3 — CHANGE IN ZONING FROM "D" TO "D" MODIFIED TO PERMIT PARKING.

BLOCK 4 — CHANGE IN ZONING FROM "D" TO "D" MODIFIED TO PERMIT OFFICE OR DRY STORAGE USE.

BLOCK 5 — CHANGE IN ZONING FROM "E" TO "E" MODIFIED TO PERMIT OFFICE OR DRY STORAGE USE

F

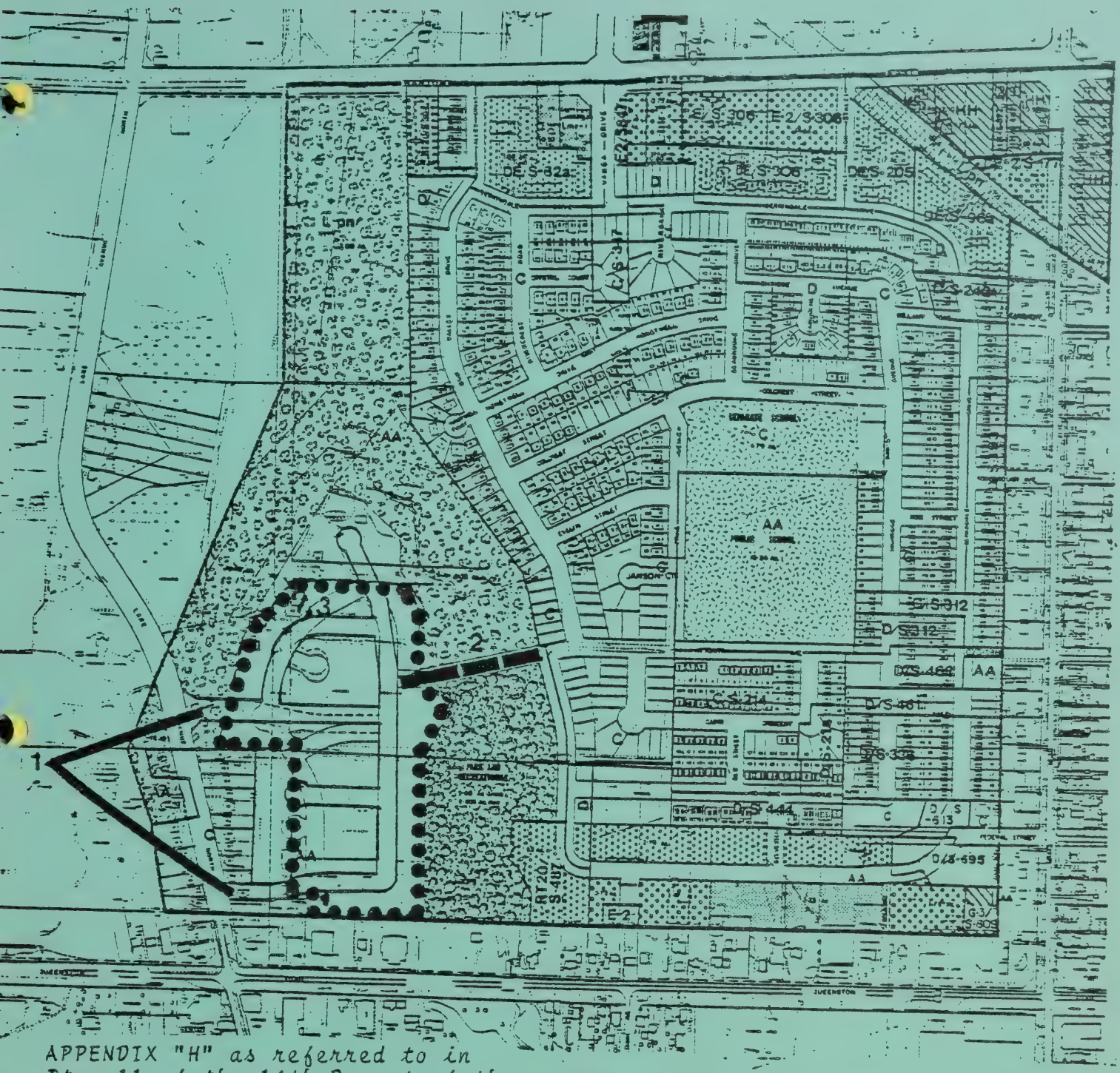
APPENDIX "G" as referred to in Item 8 of the 14th Report of the Planning & Development Committee

3 3 / 4 1 / 103	CITY OF HAMILTON
This is not a Legal Document. For Zoning Verification Please Contact City Building Department.	AINLSIE WOOD WEST ZONING
Neighbourhood Boundary / Zoning Boundary.	SCALE 0 50m 100m
Prepared for The City of Hamilton by the Planning and Development Department of The Regional Municipality of Hamilton-Wentworth	PLANNING UNIT NO. 6901 — September 1981 — PAGE No. 4

SITE OF THE APPLICATION

24 84-32

G



APPENDIX "H" as referred to in Item 11 of the 14th Report of the Planning & Development Committee

●●● STRAWBERRY HILLS SUBDIVISION PLAN

PROPOSED CHANGES

1. ROAD LAYOUT CHANGE WITH ACCESS TO LAKE AVENUE
2. ROAD TO WALKWAY
3. NEW ACCESS

LAND USE

RESIDENTIAL
- single & double
- attached housing
- low density apts.
- medium density apts.

COMMERCIAL

CIVIC & INSTITUTIONAL

PARK & RECREATIONAL

OPEN SPACE

UTILITIES

Neighbourhood Boundary
Zoning Boundary
Staging of Development Boundary

Approvals
Planning Bd. Council

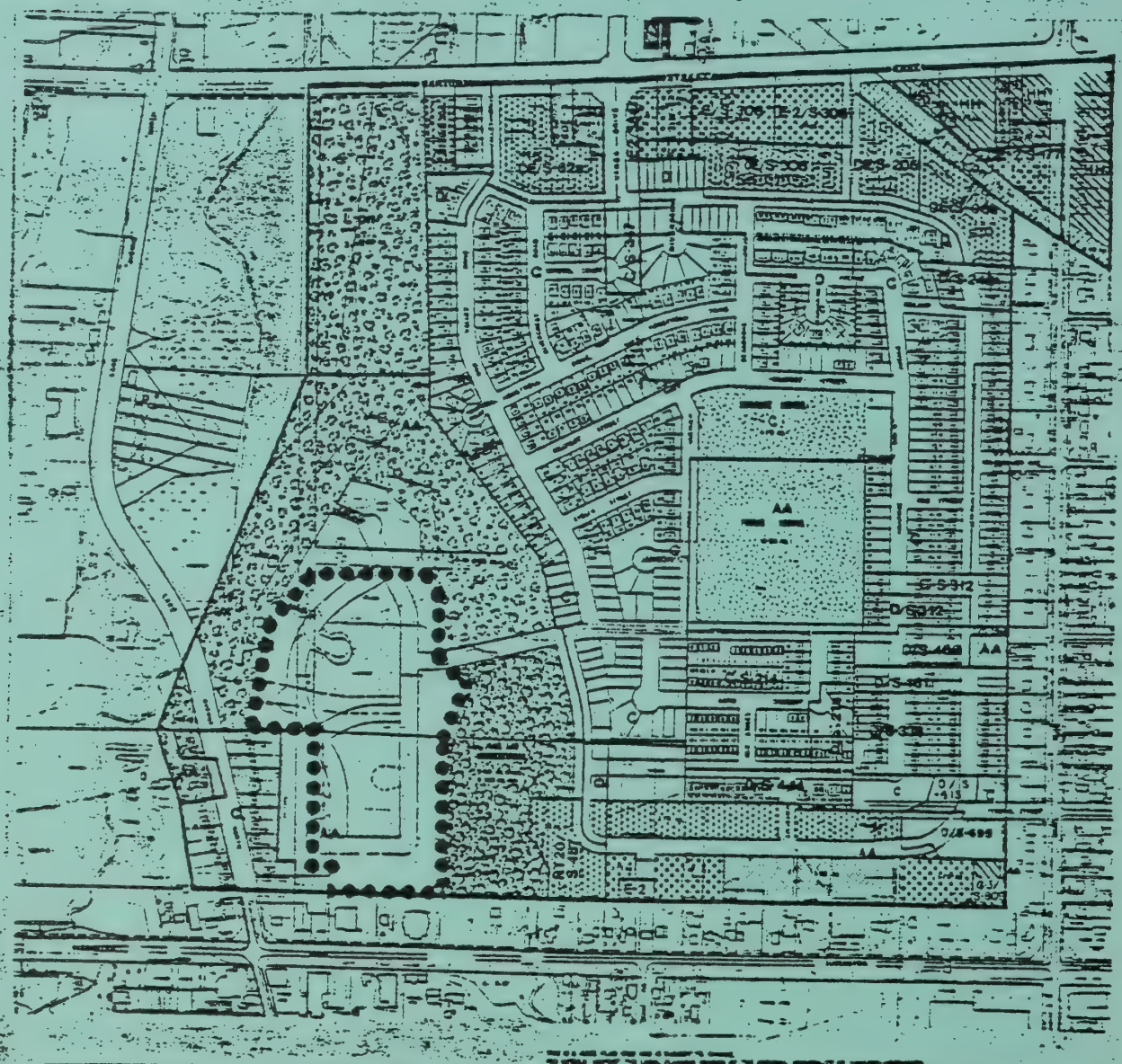
Revisions

CITY OF HAMILTON
PLANNING DEPARTMENT

RIVERDALE EAST
APPROVED PLAN

MAP 1

174



●●● STRAWBERRY HILLS SUBDIVISION PLAN

LAND USE

RESIDENTIAL

- single & double
- attached housing
- lower density apts.
- medium density apts.

COMMERCIAL

CIVIC & INSTITUTIONAL

PARK & RECREATIONAL

OPEN SPACE

UTILITIES

MAP 2

CITY OF HAMILTON
PLANNING DEPARTMENT

RIVERDALE EAST
APPROVED PLAN

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To The Corporation of The Council of The City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **FIFTEENTH** Report for 1984 and respectfully recommends:

1. That $2,600 for the cost of catch basins, manhole covers, valve basins and the raising of a Bell Canada manhole be charged to the contingency account for the Gore Park Development. (Acct. No. 0405-A3401-9)

2. (a) Approval of the Draft Interface Agreement between the Corporation of the City of Hamilton, Lakeview Development Ltd., Second Phase Civic Square Limited and Fourth Phase Civic Square Limited, dated 1984 July 3, as prepared by the City Solicitor, subject to the following amendments:

   (i) That a revised agreement dealing with use of the Public Open Space would be reached expeditiously by the parties acting reasonably.

   (ii) That control of the truck route from Bay Street will be by the four users, in mutual agreement.

   (iii) That if a change in use of the Hotel site occurs, all easements remain but the Hotel Parking Agreement and rates will be renegotiated.

   (iv) That there will be no requirement for the City to indemnify Yale in respect to ommission or commission by Lakeview; but if the City takes over the Interface Agreement, the City will assume all obligations of Lakeview.

   (v) That Lakeview will pay all agreed expenses of Yale and will pay up to date all the time of signing.

   (b) That the Mayor and City Clerk be authorized and directed to execute this Agreement.

   Explanatory Note -

   (a) This Interface Agreement supersedes the draft Interface Agreement which was a schedule to the Ground Lease Agreement approved by City Council on 1983 July 27.

   (b) Copies of the Draft Interface Agreement dated 1984 July 3, were previously forwarded to the members of City Council. Additional copies are available from the Secretary of the Planning and Development Committee.

Respectfully submitted.

Alderman W. McCulloch, Chairman

Lynn Dale, Acting Secretary
1984 July 26

E

REPORT OF THE LEGISLATION COMMITTEE

To The Corporation of The City of Hamilton.

Members of Council:

The Legislation Committee presents its **TWELFTH** Report for 1984 and respectfully recommends:

1. That a grant in the amount of $600 be made to the Mount Hamilton Youth Soccer Club to assist in hosting a reception for Youth Soccer Teams from Chicago, U.S.A.

2. That a grant in the amount of $900 be made to the General Assembly of Christian and Missionary Alliance to assist in underwriting expenses for the General Assembly of the Christian and Missionary Alliance to be held at McMaster University from 1984 June 19 - 24.

3. That a grant in the amount of $200 be made to the Hamilton Hornets Rugby Football Club to provide a civic reception for a Rugby Club visiting Hamilton from the University of Stade Lorraine, France, 1984 August 20.

4. That a grant in the amount of $300 be made to the Hamilton Hunt to assist in hosting a reception for the Canadian Equestrian Olympic Team on 1984, July 19.

5. That a grant in the amount of $900 be made to the Kiwanis Club of Hamilton to assist in hosting a luncheon in relation to the Eastern Canada and Carribean Kiwanis Convention from 1984 August 12 - 15.

6. That a grant request from the Hamilton-Wentworth Working Together Committee in the amount of $2,700 to assist in defraying costs associated with an Annual Conference be referred to the Region of Hamilton-Wentworth.

7. That civic sterling silver rings be awarded to the St. Margaret Mary Midget Volleyball Team who won the Eastern Canada Volleyball Championship.

8. That a civic award - diamond chip be awarded to Mr. Sam Milligan who won a second Indoor International Rifle Competition - Sharpshooter, 1983/84.

9. That civic gold rings be awarded to the Hamilton Mix Team who won the Canadian Five Pin Bowling Championship on 1984 May 22.

10. That permission be granted to the Hamilton Shriners to hang a banner from the balcony of City Hall from 1984 July 30 - August 4 for Circus Week.

11. That permission be granted to the Hamilton-Wentworth Lung Association to hang a banner from the balcony of City Hall from 1984 November 1 - 15.

12. That permission be granted to the Hamilton Kiwanis Club to fly a banner on the City Hall balcony from 1984 August 9 - 10 as an introduction for the Eastern Canada and Carribean Convention to be held in the City of Hamilton.

13. That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a Special Occasion Permit to the Romanian Folk Dancing Community Festival to be held 1984 August 19 at Pavilion 3 as part of the Bi-centennial celebration.

14. That the following tax adjustment as recommended by the Tax Appeal Review Sub-Committee at its meeting held 1984 July 7, be approved.

APPEAL	AMOUNT			
	(1)	(2)	(3)	(4)
Schedule "A" Compassionate	Prior Year 1983	Year-to-date 1984	Tax Review Committee July 4, 1984	Total Year-to-date 1984
	$ 38,316.60	$ 8,009.75	$ 4,768.02	$ 12,777.77
(1)	(2)	(3)	(4)	
Schedule "B" Business	Prior Year 1983	Year-to-date 1984	Tax Review Committee July 4, 1984	Total Year-to-date 1984
	$1,010,482.12	$ 421,018.90	$ 289,092.00	$ 710,110.90
(1)	(2)	(3)	(4)	
Schedule "C" Realty	Prior Year 1983	Year-to-date 1984	Tax Review Committee July 4, 1984	Total Year-to-date 1984
	$ 289,954.88	$ 192,510.88	$ 11,280.66	$ 203,791.54

15. That a rental agreement be executed with Empire Leasing & Financial Services Inc. for a Compucorp 785 Microcomputer for a 36 month period commencing May 1, 1984 at a rental cost of $665.54 per month (including Provincial Sales Tax) and a maintenance cost of $174.41 per month (including Provincial Sales Tax) for a total monthly cost of $839.95, and that the payment for the eight-month period May through December 1984, $6,719.60 (839.95 x 8 mos.) be financed in a new account no. 0322-0283 (Rental of Equipment) by means of an overdraft.

16. That the following resolution from the Township of Golbourn with respect to the Unconditional Grants, be endorsed.

"WHEREAS the Honourable Claude Bennett, Minister of Municipal Affairs and Housing announced the 1984 Unconditional Grants Program on February 16th, 1984;

AND WHEREAS the recommended changes to the Unconditional Grants Program appear to be predominately for the purpose of simplifying the existing system;

AND WHEREAS the major thrust of the changes will be to use households in place of population for calculation purposes, and a revenue of guarantee for 1984 to those municipalities financially worse off due to these changes;

AND WHEREAS no committment of a revenue guarantee beyond 1984 is to be incorporated in these changes;

2. That the Honourable Minister be strongly urged as a minimum, to place a moratorium on any change without revenue guarantees beyond 1984.

3. The Council shall cause this resolution to be circulated to all municipalities with the request that they endorse this resolution and notify their local M.L.A.'s."

17. That the following resolution from the City of Windsor relating to Sections 2 and 5 of Bill 71, be endorsed.

"WHEREAS Bill Number 71, being an Act to Amend the Assessment Act, was given 1st reading on May 17, 1984; and

WHEREAS this proposed legislation will provide an exemption from the taxation of real property for improvements or additions to residential property for the purpose of housing, or providing amenities ancillary to the housing of persons aged 65 or older or handicapped persons who would otherwise require care in an institution which is a subsidy provided by the real property tax; and

WHEREAS this proposed legislation further increases the amount by which improvements must increase the value of property before the improvements are included in the assessment roll which has the effect of limiting growth of the municipal tax base; and

WHEREAS the Provincial Government has made no provision for transfer of funds or payments in lieu to offset the cost to the local ratepayer for these programs which provide direct and/or indirect fiscal benefits to the Provincial Government;

THEREFORE BE IT RESOLVED that the Minister of Revenue and Treasurer of Ontario be advised that Council of the Corporation of the City of Windsor objects to the enactment of Bill No. 71, being an Act to Amend the Assessment Act, without providing an increase in the grants payable to municipalities for the potential lost revenue from the provisions contained in the Bill, and further, that this resolution be sent to local members of the Legislative Assembly, Association of Municipalities of Ontario and Ontario municipalities for support."

18. That the following resolution from the City of Windsor relating to Section 26 and 27 of Bill 60, An Act to Amend the Municipal Act, be endorsed.

"That Bill Number 60 being an Act to amend The Municipal Act which received first reading on May 8, 1984 which amends Subsections 386 and 387 to require municipalities to have the tax demands in the hands of the taxpayer 21 days prior to the due date of the first installment instead of the 14 day advance notice presently required BE OBJECTED to as from the time the assessment tape is received from the Province in early January the municipality has just sufficient time to prepare and mail the interim tax demand and with the change in legislation as mentioned above a delay for the time of the first installment would occur costing the municipality a delay in cash flow and thus incur additional temporary financial costs and further that this resolution together with the administration report BE CIRCULATED to local members of parliament, the Association of Municipalities of Ontario and to all municipalities in Ontario with a population of 50,000 and over for their endorsation."

19. That the Minister of Municipal Affairs and Housing be requested to designate the City of Hamilton as a disaster area under the Ontario Disaster Relief Assistance Programme.

20. That an official flag be approved for the City of Hamilton and that a contest be held to determine the design for this flag.

21. For the information of the members of Council, the Legislation Committee apointed Ms. Judy Worsley to the Status of Women Sub-Committee, replacing Ms. Karen March.

Respectfully submitted,

ALDERMAN V.J. AGRO, CHAIRMAN

Lynn Dale, Secretary
1984 July 24
LD/sma

F

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the
City of Hamilton.

Members of Council:-

The Personnel Committee presents its SEVENTH Report for 1984 and respectfully recommends:

1. That the present contract with the Family Services of Hamilton-Wentworth Inc. for providing the Employee Assistance Programme which is due to expire August 31, 1984 be renewed for a one year period from September 1, 1984 to August 31, 1985.

   NOTE: For the information of Members of Council the estimated cost to provide this service in the year 1985 is $53,580.00. Monies have been provided in the 1984 budget to cover the period September 1, 1984 to December 31, 1984.

2. Approval of the following reclassifications:

   (a) General Manager, Hamilton Convention Centre from salary schedule D of $43,582.76 to $53,865.76 (Department Heads and Deputies) to salary schedule 113 $50,000.08 to $59,999.68. Mr. Wm. Penfold, present incumbent to be paid the first step, namely $50,000.08 effective January 1, 1984.

   NOTE: This reclassification is in accordance with the report prepared in 1983 by Thorne, Stevenson & Kellogg.

   (b) That the position of Stenographer II in Salary Schedule E-4 $320.36, $330.59, $343.36 per week, Department of Public Works, be reclassified to Claims Clerk, Salary Schedule A-5, $353.61, $363.80, $379.05, $399.43, $415.33 per week. That Miss Rose Celebre present incumbent be paid in the first step of Salary Schedule A-5, $353.61 per week, effective June 11, 1984.

3. That the position of Facilities Manager, Hamilton Place, Convention Centre and Trade Centre Arena be established in Salary Schedule B (Department Heads and Deputies), $58,250.92, $61,421.88, $64,781.60, $68,311.36, $72,415.98 and that the position be advertised and filled.

4. (a) That Department Heads and Deputies non-union Supervisory and confidential staff be granted a 5% increase in salary retroactive to January 1, 1984.

   (b) That merit increases be granted to those eligible on their applicable effective dates.

5. Approval of the appointments and terminations in permanent and temporary service with the Corporation effective July 25, 1984 as set out in Schedule A appended hereto.

6. That the City endorsed the recommendation of the Regional Transit Committee to discontinue the practice of providing free transportation on the Hamilton Street Railway to members of the Hamilton Fire Department.

7. (a) Approval of the regulations respecting tenders and contracts for construction projects over the value of $50,000.00 as set out in Schedule B attached.

   (b) Approval of the procedures with respect to the awarding of tenders and contracts as set out in Schedule C attached.

   (c) That no change be made to the existing policy for construction and demolition contracts over $10,000.00 and under $50,000.00.

NOTE: To assist Members of Council, a comparison is made in Schedules B & C of the existing policy and the new policy that is being recommended.

8. That permission be granted for the use of the Kenilworth Avenue Fire Station and the Woodward Avenue Fire Station as revision stations and advance polls for the upcoming Federal elections.

NOTE: For the information of Members of Council revisions to the voters list will be held August 15, 16, and 17th and the advance polls will be held August 25, 27 and 28th.

RESPECTFULLY SUBMITTED,

ALDERMAN P. COWELL, CHAIRMAN
PERSONNEL COMMITTEE

E.A. Simpson,
Secretary
July 25, 1984.

SCHEDULE A AS REFERRED TO IN CLAUSE 5

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Silvana Albano	Stenographer I	City Clerk's	Additional Staff	E-5	$328.07 per week	June 11/84
Ms. Patricia Bennett	Executive Secretary	Hamilton Convention Centre	Replacement for Mrs. Bonnie Cook - resigned	106	$23,499.84 per annum	May 21/84
Mr. James Bridge	Street Sweeper Operator	Public Works	Replacement for Mr. Ken Bellavance - transferred	D-9	$9.991 per hour	June 25/84
Miss Arlene Couchman	Accounting Clerk	Hamilton Convention Centre	Reclassification as approved by Board of Directors	103	$14,600.04 per annum	Jan. 1/84
Mr. John Crane	General Manager, Victor K. Copps Trade Centre/Arena	Trade Centre/ Arena	New position		$59,386.78 per annum (1984 rate)	July 30/84 (date change)
Mrs. Lynn Dale	Legislative Assistant	City Clerk's	Additional staff	115	$27,848.60 per annum	June 11/84
Miss Cathryn Edmonds	Stenographer I	Treasury	Transfer per employee's request	E-5R	$363.80 per week	June 4/84
Mrs. Jane Graham	Pensions & Group Insurance Clerk	Treasury	Replacement for Miss C. Edmonds - transferred	A-5	$379.05 per week	June 4/84
Ms. Rachel Key	Typist Clerk II	Treasury	Replacement for Miss Mary Bow - resigned	E-2	$273.74 per week	June 20/84
Mr. Martin MacLeod	Labourer	Parking Authority	Replacement for Mr. G. McKechnie - promoted	B-2	$317.66 per week	June 11/84

THE CORPORATION OF THE CITY OF [illegible]

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Robert Shakeshaft	Traffic	By-Law Enforcement Supervisor	Additional staff	112A	$22,491.56 per annum	July 9/84
Mr. Pat Speziale	Fire	Probationary Fire Inspector	Replacement for Mr. James Winn - promoted	N-1A	$21,890.46 per annum	July 3/84

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. William Burr	Senior Property Officer	Real Estate	Deceased	15 yrs.& 10 1/2 mo.	June 22/84
Mr. Earl Buttenham	Graphic Art Technician	Public Works	Retirement	34 yrs.	June 29/84
Mr. Dennis Hammond	Captain	Fire	Resigned	22 yrs. & 3 mo.	July 7/84
Mr. Jack Hayward	Florist	Public Works	Retirement	35 yrs. & 3 mo.	June 29/84
Mrs. Brenda Lane	Communications Operator, 4th Year	Fire	Resigned	6 yrs. & 11 mo.	June 19/84
Mr. Donald McCrudden	Lieutenant	Fire	Retired	30 yrs. & 4 mo.	June 30/84
Mr. Francis Morash	Garbage Truck Driver	Public Works	Deceased	16 yrs. & 11 mo.	June 15/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. M. Anderson-Herrmann	Cultural Co-Ordinator (temporary)	Culture & Recreation	Extension of contract as approved by C.A.O.	CC	$299.25 per week	June 18/84
Miss Judy Berestecki	Stenographer III (temporary)	Real Estate	Replacement for Mrs. Joni Bennett - maternity leave	E-3	$302.47 per week	May 23/84
Mr. Ronald Bidulka	Stores Attendant (temporary)	Purchasing Division of Treasury Dept.	Seasonal staff	D-7	$9.891 per hour	June 25/84
Mrs. Lee Goldsmith	Stenographer III (temporary)	Treasury	Replacement for Miss Jennifer Falla - promoted	E-3	$302.47 per week	June 18/84
Mrs. Karen Grywacheski	Parking Meter Clerk Clerk (temporary)	Treasury	Replacement for Mrs. May Sevcik - on L.T.D.	E-2	$284.69 per week	June 1/84
Mr. Michael Henderson	Cashier (temp./part-time)	Parking Authority	Hired as required	V-1	$3.850 per hour	June 27/84
Ms. Carolyn Kett	Assistant Supervisor Outside Activities (temp./part-time)	Culture & Recreation	Seasonal staff	K-4	$4.000 per hour	June 27/84
Mr. John Lacoursiere	Journeyman Carpenter (temporary)	Property Maintenance Division of Real Estate Department	Hired as required	C	$17.900 per hour	May 14/84
Mr. Francis Lockhart	Journeyman Painter (temporary)	Property Maintenance Division of Real Estate Department	Hired as required	PA	$17.390 per hour	June 25/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Rose Martinello	O.M.M.T.P. Trainee (temporary)	City Clerk's	Government program	DMM	$273.74 per week	July 9/84
Miss Janice Moore	Clerk Typist III (temporary)	City Clerk's	Additional staff	E-1	$260.14 per week	July 9/84
Mr. Weldon Orr	By-Law Enforcement Constable (temporary)	Traffic	Replacement for Miss Francis Caprice - off sick	B-5	$411.08 per week	June 8/84
Mr. Luigi Romano	Journeyman Carpenter (temporary)	Property Maintenance Division of Real Estate Department	Hired as required	C	$17.900 per hour	June 11/84
Mr. Mark Simpson	Probationary Communications Operator (temporary)	Fire	Replacement for Mrs. Terri Neeb - maternity leave	N-1A	$21,890.46 per annum	June 13/84
Ms. Olga Stoyakovich	Clerk Typist III (temporary)	Real Estate	Replacement for Miss Judy Berestecki - promoted	E-1	$260.14 per week	June 11/84
Mr. Paul Tyleman	Shop Clerk (temp./part-time)	Culture & Recreation	Seasonal staff	DC-3	$5.100 per hour	June 1/84
Miss E. Joanne Wigmore	Typist Clerk II (temporary)	Treasury	Replacement for Mrs. K. Grywacheski - transferred	E-2	$273.74 per week	June 20/84
Mr. D. David Coppolino	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	July 3/84
Mr. Paul DeSantis	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	June 26/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Gordon Dodd	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	June 26/84
Mr. Angelo Frisina	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	July 3/84
Mr. Antonio Grilli	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	July 3/84
Mr. Robert MacRae	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	July 3/84
Mr. Patrick Matozzo	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	July 3/84
Mr. Bruce Miller	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	July 3/84
Mr. William Nuttley	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	July 3/84
Mr. Robert Pace	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	June 26/84
Mr. Tim Reid	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	July 3/84
Mr. Stuart Simpson	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	June 26/84
Mr. Doug Walsh	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	June 26/84
Mr. P. J. Scott Walter	Student Garbageman (temporary)	Public Works	Seasonal staff	D-3A	$9.591 per hour	June 26/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Sam Alaimo	Assistant Traffic Serviceman (temporary)	Traffic	Replacment for Mr. David Nutley - resigned	A-1	$271.52 per week	July 3/84
Mr. James Cooper	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	July 9/84
Mr. Patrick Daly	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	July 9/84
Mr. Joseph Falone	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	July 9/84
Mr. Anthony Gullone	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	July 9/84
Mr. David Langs	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	July 9/84
Mr. Robert Malcolm	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	July 9/84
Mr. Ronald McDonald	Assistant Traffic Serviceman (temporary)	Traffic	Seasonal staff	A-1	$271.52 per week	July 9/84
Mr. Paul Mills	Assistant Traffic Serviceman (temporary)	Traffic	Replacement for Mr. Geral Haak - resigned	A-1	$271.52 per week	June 11/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Beverly Daniel	Project Manager (temporary)	City Clerk's	Government program	CW-16	$200.00 per week	June 4/84
Miss Alison Burns	Project Worker (temporary)	City Clerk's	Government program	CW-15	$154.00 per week	June 4/84
Mrs. L. Burton de Santana	Project Worker (temporary)	Culture & Recreation	Government program	CW-15	$154.00 per week	June 11/84
Ms. Catherine Friis	Project Worker (temporary)	Culture & Recreation	Government program	CW-8	$134.75 per week	May 28/84
Miss Dagmar Hindrichs	Project Worker (temporary)	City Clerk's	Government program	CW-15	$154.00 per week	June 4/84
Miss Lisa Saunders	Project Worker (temporary)	City Clerk's	Government program	CW-15	$154.00 per week	June 4/84
Miss Deborah Drake	Checker (temp./part-time)	Culture & Recreation	Replacement for Miss Wendy Restivo - promoted	K-1	$4.000 per hour	June 25/84
Miss Kimberly Garland	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Mr. Ted Golinski	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Miss Angela Hetherington	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Mr. Christopher Hotrum	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Miss Tracey Hynd	Checker (temp./part-time)	Culture & Recreation	Replacement for Miss Susan Butler - promoted	K-1	$4.000 per hour	June 25/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Steven Jackson	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Mr. Michael King	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Mr. John Lyle	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Mr. Roger Murphy	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Miss Janice Robinson	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Mr. Claude Roy	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Mr. Dixon Smith	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Mr. Steven Snelling	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Miss Lisa Traicoff	Checker (temp./part-time)	Culture & Recreation	Replacement for Miss Sandi Buffett - resigned	K-1	$4.000 per hour	June 19/84
Miss Bianca Van Bregt	Checker (temp./part-time)	Culture & Recreation	Seasonal staff	K-1	$4.000 per hour	June 25/84
Mr. Albert Agro	Cashier (temp./part-time)	Culture & Recreation	Seasonal staff	R-7	$4.250 per hour	June 25/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Mara D'Alessio	Cashier (temp./part-time)	Culture & Recreation	Seasonal staff	R-7	$4.250 per hour	June 18/84
Miss Kathryn Grant	Cashier (temp./part-time)	Culture & Recreation	Replacement for Mr. Gary Chambers - promoted	R-7	$4.250 per hour	June 25/84
Mr. Tim Hill	Cashier (temp./part-time)	Culture & Recreation	Replacement for Miss Olga Jovich - resigned	R-7	$4.250 per hour	June 25/84
Miss Elizabeth Murray	Cashier (temp./part-time)	Culture & Recreation	Seasonal staff	R-7	$4.250 per hour	June 23/84
Miss Darlene Rankin	Cashier (temp./part-time)	Culture & Recreation	Seasonal staff	R-7	$4.250 per hour	June 25/84
Mr. David Strong	Cashier (temp./part-time)	Culture & Recreation	Seasonal staff	R-7	$4.250 per hour	June 23/84
Miss Diane Theroux	Cashier (temp./part-time)	Culture & Recreation	Seasonal staff	R-7	$4.250 per hour	June 23/84
Miss Lora Tirimacco	Cashier (temp./part-time)	Culture & Recreation	Seasonal staff	R-7	$4.250 per hour	June 23/84
Miss Ann Tyleman	Cashier (temp./part-time)	Culture & Recreation	Seasonal staff	R-7	$4.250 per hour	June 23/84
Mr. Paul Anderson	Lifeguard I (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 18/84
Miss Ursula Behr	Lifeguard I (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 18/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Doris Daiber	Lifeguard I (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 18/84
Miss Sandra Davidson	Lifeguard I (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 18/84
Miss Nanci Evans	Lifeguard I (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 18/84
Miss Susanne Gorka	Lifeguard I (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 18/84
Miss Cathie Loncarich	Lifeguard I (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 18/84
Miss Karen Morgan	Lifeguard I (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 18/84
Mr. Mark Ormond	Lifeguard I (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.471 per hour	June 18/84
Mr. Vince Ormond	Lifeguard I (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 18/84
Mr. R. Ward Shipman	Lifeguard I (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 18/84
Miss Alison Vander Pol	Lifeguard I (temporary)	Culture & Recreation	Replacement for Mrs. Linda Royle - maternity leave	CH-5	$7.741 per hour	July 9/84
Miss Arlene Albrich	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Miss Ghislain Bellehumeur	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Andrea Binns	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Miss Catherine Chiarot	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Miss Kathryn Daignault	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Miss Mary Jo Dunn	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Mr. Joseph Gallagher	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Mis Marianne Giornofelice	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Miss Mary Goodwin	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Mr. Robert Lake	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Mr. R. James Male	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Miss Joanne Taylor	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Miss Patricia Vaughan	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84
Miss Margaret White	Lifeguard II (temporary)	Culture & Recreation	Seasonal staff	CH-4	$7.332 per hour	June 25/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Kim Madronich	Lifeguard III (temporary)	Culture & Recreation	Seasonal staff	K-3	$4.500 per hour	June 25/84
Mr. Harold Albrich	Swimming Pool Safety Assistant (temp./part-time)	Culture & Recreation	Seasonal staff	K-2A	$4.000 per hour	June 25/84
Miss Leanne Beaudet	Swimming Pool Safety Assistant (temp./part-time)	Culture & Recreation	Seasonal staff	K-2A	$4.000 per hour	June 25/84
Ms. Mhairi Ferguson	Swimming Pool Safety Assistant (temp./part-time)	Culture & Recreation	Seasonal staff	K-2A	$4.000 per hour	June 25/84
Ms. Melissa Goodson	Swimming Pool Safety Assistant (temp./part-time)	Culture & Recreation	Seasonal staff	K-2A	$4.000 per hour	June 25/84
Miss Karen Hrycko	Swimming Pool Safety Assistant (temp./part-time)	Culture & Recreation	Seasonal staff	K-2A	$4.000 per hour	June 25/84
Miss Anne-Marie Loncarich	Swimming Pool Safety Assistant (temp./part-time)	Culture & Recreation	Seasonal staff	K-2A	$4.000 per hour	June 25/84
Miss Susan Lyons	Swimming Pool Safety Assistant (temp./part-time)	Culture & Recreation	Seasonal staff	K-2A	$4.000 per hour	June 25/84
Ms. Joanne Zanin	Swimming Pool Safety Assistant (temp./part-time)	Culture & Recreation	Seasonal staff	K-2A	$4.000 per hour	June 25/84

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Karen Barrett	Community Recreation Supervisor (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 4/84
Ms. Linda Belisario	Community Recreation Supervisor (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 4/84
Ms. Cheryl Busch	Community Recreation Supervisor (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 4/84
Ms. Diana Delisle	Community Recreation Supervisor (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 4/84
Ms. Janet McAuley	Community Recreation Supervisor (temporary)	Culture & Recreation	Seasonal staff	CH-5	$7.741 per hour	June 4/84
Ms. Annie Finn	Historical Interpreter (temp./part-time)	Culture & Recreation	Replacement for Ms. Anna Mandarino - resigned	DC-3	$5.100 per hour	June 5/84
Ms. Monda Halpern	Historical Interpreter (temp./part-time)	Culture & Recreation	Seasonal staff	DC-3	$5.100 per hour	June 11/84
Ms. Barbara Makepeace	Historical Interpreter (temp./part-time)	Culture & Recreation	Replacement for Ms. Olga Stoyakovich - promoted	DC-3	$5.100 per hour	June 11/84
Ms. Cathy Albanese	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Andrea Aldgate	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Joanne Anderson	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Julie Banner	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Celine Bart	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Lisa Beaudet	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Mr. Orvill Beckford	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Annely Beckmann	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Donna Berzaitis	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Mr. Mohammed Bhabha	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Katherine Black	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Theresa Black	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Suzanne Brohman	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Sandy Buffett	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Mr. Francesco Burgio	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Joyce Carbone	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Maria Carreiro	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Christine Carter	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Mr. Derek Carter	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Lori-Ann Catherwood	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Mr. Scott Chambers	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Melinda Csontos	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Susan Cuddie	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Denean Easton	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Mr. Gary Fackelmann	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. M. Louise Feeney	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Mr. Reno Fricano	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Tara Gasparik	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Janine Gaunt	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Mr. Richard Gaunt	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Denise Greenaway	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Karen Grice	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Karen Hammond	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. June Hannah	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Mr. Michael Hare	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Dianne Holden	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Joanne Howatt	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Tina Jacobs	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Denise Jarvis	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Shelly Johnstone	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Gail Jones	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Christina Kaut	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Mr. Raymond Kong	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Mr. Carver Lewis	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Sharon Lewis	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Annette Ling	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Virginia Ling	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Michele Luke	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Elisa Machida	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Kristia MacKenzie	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Amy Mackness	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Madeleine Manning	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Lorraine Martelli	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Cynthia Matthews	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Cheryl Mattina	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Denise Mattina	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Doris McDougall	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Kelly McKinnon	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Elaine McLaughlan	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Sylvia Miedinger	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Colleen Miller	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Allyson Mitchell	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Mr. Mark Mitchell	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Nancy Moffat	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Margaret Moran	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Monica Moran	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Cynthia Moretuzzo	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Julie Morgan	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Catherine Nowell	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Claire O'Halloran	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Mr. Ian Pellizzari	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Sandra Pellizzari	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Maureen Perryman	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Bryan Pipe	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Mr. Paul Plummer	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Raven Raby	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Lisa Ramacieri	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Mr. Paul Ramacieri	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Susan Randle	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Michelle Ricketts	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Nancy Riselay	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Karen Robertson	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Mr. Paul Robertson	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Frances Ross	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Lonnie Schikolenko	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Martha Shea	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Mary Shkimba	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Jennifer Spragg	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Mr. Tom Spyredes	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Brenda-Lee Steinnagel	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Mr. Tom Stevens	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Tracey Stevens	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Robin Stout	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Andrea Swerjeski	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Anita Tessaro	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Carolyn Tessaro	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Janice Tessaro	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Sheila Thorpe	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Mr. Thomas Trebilcock	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Sandra Troccoli	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Judith Vanduzer	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Mr. Guiseppe Vella	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Kalliopi Voloudakis	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Marjorie Walsh	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Kerry Williamson	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84
Ms. Sharon Williamson	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.750 per hour	July 3/84
Ms. Barbara Wilson	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.625 per hour	July 3/84
Ms. Suzanne Wood	Playlot Leader (temporary)	Culture & Recreation	Seasonal staff	R-5A	$4.500 per hour	July 3/84

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Alfeo Acierto	Adult Fitness Instructor (temp./part-time)	Culture & Recreation	Lay off	7 1/2 mo.	May 26/84
Mr. Tony Demarinis	Assistant Traffic Serviceman (temporary)	Traffic	Resigned	4 days	May 18/84
Ms. Deborah Fischer	Community Sports Organizer (temp./part-time)	Culture & Recreation	Lay off	1 1/2 mo.	May 17/84
Mr. Shawn Hewitt	Red Cross Instructor (temp./part-time)	Culture & Recreation	Resigned	8 1/2 mo.	May 28/84
Ms. Anna Mandarino	Historical Interpreter (temp./part-time)	Culture & Recreation	Resigned	1 week	June 1/84
Mr. Martin McLeod	Adult Fitness Instructor (temp./part-time)	Culture & Recreation	Resigned	7 1/2 mo.	May 16/84
Mr. David Nutley	Assistant Traffic Serviceman (temporary)	Traffic	Resigned	1 month	June 15/84
Ms. Anita Proverbs	Historical Interpreter (temp./part-time)	Culture & Recreation	Resigned	4 years	May 30/84
Mr. Stuart Simpson	Checker (temp./part-time)	Culture & Recreation	Resigned	1 yr. & 4 mo.	May 16/84
Miss Mary Williams	Red Cross Instructor (temp./part-time)	Culture & Recreation	Resigned	8 mo.	May 23/84

SCHEDULE B AS REFERRED TO IN CLAUSE 7(a)

INTERIM POLICY REGARDING CONDITIONS FOR TENDERING ON CONSTRUCTION PROJECTS ESTIMATED TO COST OVER $50,000.

EXISTING REGULATIONS RESPECTING TENDERS AND CONTRACTS	NEW POLICY TO BE APPROVED BY CITY COUNCIL TO REPLACE REDUNDANT POLICY & PROCEDURES
The following regulations respecting tenders and contracts have been approved by the Council of the Corporation of the City of Hamilton. Before tenders are advertised or solicited for any work, materials or supplies, it shall be the duty of the Director of Purchases to submit two copies of the specifications, together with two sets of any necessary plans, for the approval of the Board of Control, and which specifications shall contain the following clauses:	Before tenders for construction projects estimated to cost over $50,000. are advertised the Department responsible for the project will submit a report to the respective Committee giving details of the project, indicating that all necessary approvals have been obtained including financing, the estimated cost and request permission of the Committee and Council to call tenders for the project. The following clauses will be included in the General Conditions for Construction Projects as issued by the City Architect.
1.All workmen employed in the performance of the work mentioned in these specifications shall be paid such prevailing rates of wages, and shall be employed under such working conditions, and shall be entitled to such other benefits, as established for the district of the City of Hamilton by the respective trade unions or other groups, under mutual agreement with their employers or association of employers: Provided, however, that in any case where such rate has not been established under such mutual agreement the rate to be paid shall not be less that the prevailing rate as last determined prior to the date of the tender by the Director of Personnel whose decision shall be final.	1.All workmen employed in the performance of the work mentioned in these specifications shall be paid at a rate of wages not less than those shown on the current City of Hamilton Wage Schedule, or where no rate has been established, the Director of Personnel shall set the rate of wage whose decision shall be final. Copies of The Wage Schedule is to be maintained by and kept in the Personnel Department.
2.The Contractors shall post up and keep posted in a conspicuous place on the premises where the contract is being executed, occupied or frequented by the workmen, a notice containing a copy of the above paragraph (1) inserted by the contract for the protection of the workmen employed, and known as the "Fair Wage Clause".	2.The Contractors shall post up and keep posted in a conspicuous place on the premises where the contract is being executed, occupied or frequented by the workmen, a notice containing a copy of the above paragraph (1) inserted by the contract for the protection of the workmen employed, and known as the "Fair Wage Clause".
3.The contractor shall keep proper books and records showing the names, trades and addresses of all workmen in his employ and the wages paid to and time worked by such workmen, and the books shall be open for inspection by the officers and employees of the City Corporation at any time it may be expedient to the Board of Control to have the same inspected.	3.The Contractor shall maintain and keep sufficient complete and accurate books, payrolls, accounts and records relating to the work or any extensions or additions thereto or claims arising therefrom, to permit the verification and audit thereof, and he shall have no claim for payment of any nature and kind whatsoever therefore, unless such books, payrolls, accounts and records have been so maintained and kept. The City may inspect and audit the books, payrolls, accounts and records of the Contractor at any time during the period of the Contract and at any time thereafter as deemed necessary by theCity, and the Contractor shall supply certified copies of payrolls and any other records required, whenever requested by the City. The Contractor shall preserve all original records pertaining in any way to the work of the Contract, or any extensions or additions thereto or claims arising therefrom, for a period of 12 months after the expiration of the maintenance period, and the Contractor shall require that all

EXISTING REGULATIONS RESPECTING TENDERS AND CONTRACTS	NEW POLICY TO BE APPROVED BY CITY COUNCIL TO REPLACE REDUNDANT POLICY & PROCEDURES
	3. (Cont'd) Sub-contractors employed by him preserve all original records pertaining in any way to the work of the Contract or any extensions or additions thereto or claims arising therefrom for a similar period of time. The Contractor shall file with the City forthwith upon entering into Contract with each Sub-contractor a consent and covenant of each sub-contract under seal, by which the Sub-contractor agrees to the provisions in this Section in the same way as if the Section read "Sub-Contractors" for "Contractor".
4. In the event of default being made in payment of any money owing in respect of wages of any workmen employed on the said work or materials, and if a claim is filed in the office of the City Clerk and proof thereof satisfactory to the Board of Control is furnished, the City Corporation may pay such claim out of the moneys at any time payable by the City Corporation under said contract and the amount so paid shall be deemed payment to the contractor.	4. The General Conditions for Contracts #003A .07 provides that in the event of default being made in payment of any money owing in respect of wages of any workmen employed on the said work or materials. If a claim is filed in the office of the Personnel Department and proof thereof satisfactory to the Personnel Committee is furnished, the City Corporation may pay such claim out of the moneys at any time payable by the City Corporation under said contract and the amount so paid shall be deemed payment to the contractor.
5. Tenderers shall deposit with their Tender A Bid Bond in an amount equal to Five Per Centum (5%) of the amount of the Tender except that when the Tender is Five Hundred Dollars ($500.00) or less, a Bid Bond shall not be required. Bonds required under this section shall be purchased in the City of Hamilton. 6. The Bid Bonds of unaccepted Tenderers will be promptly returned upon the awarding of the contract by City Council. * 5 & 6 combined into new #5 * 7 included in Procedures	5. The Bidder must submit with his Tender a Bid Bond, or a Certified Cheque, in an amount of not less than 5% of his Lump Sum Price. The Bid Bond, or the Certified Cheque, shall be the surety that if his Tender is accepted by the City the Bidder will enter into a contract for the performance of the specified work within 10 days after the City has given him for execution, (signing), the Contract for Works. The Bid Bond, or the Certified Cheque, shall be forfeited and surrendered as the assessed-amount of liquidated damages in the event of failure on the part of the Bidder to enter into a contract for the performance of the tendered specified work. By submitting his tender every Bidder agrees that the amount of his bid bond or certified cheque is an estimate of the actual damage incurred by the City as a consequence of his failure to enter into the said contract. The surety of all bidders except the 2 lowest bidders will be returned promptly after the tender opening. The sureties of the 2 lowest bidders will be returned after the contract has been executed.
8. It shall be the duty of such Department to see that the two sets of plans and the two copies of the specifications for any proposed work or for the furnishing of supplies are placed in the hands of the Secretary of the Board of Control for the consideration and approval of such Board, and the Secretary of the Board of Control shall stamp with the date upon both such copies of the specifications and sets of plans when finally approved, the words, "Approved by Board of Control", and sign his name after or beneath such words, retaining one copy of each and returning the other to the Department, and the Secretary of the Board shall forward the copies of plans and specifications so retained to the City Clerk, together with the tenders recommended by the Board for acceptance.	6. This is covered in the introduction and it will be recorded in the Council minutes that such a project has been approved before the tender call is made

EXISTING REGULATIONS RESPECTING TENDERS AND CONTRACTS	NEW POLICY TO BE APPROVED BY CITY COUNCIL TO REPLACE REDUNDANT POLICY & PROCEDURES
* 9-14 included in Procedures	
15. The Contractor shall, before commencing the work mentioned or referred to in these specifications, pay to the Workmen's Compensation Board the proper assessments provided by the Workmen's Compensation Act, and the Contractor shall indemnify the City Corporation against the payment of any sum that the City Corporation might be called upon to pay, pursuant to section 10 or any other provisions of the said Act. The City Corporation may at any time deduct from moneys due the contractor under this contract, any sum paid to the Board or for which the City Corporation may be liable.	7. The successful bidder shall before execution of contract and from time to time during the contract and before final payment is made, submit a statement of current status from t the Worker's Compensation Board of Ontario and shall at all times pay to the Worker's Compensation Board the proper assessments provided by the Worker's Compensation Act, and the Contractor shall indemnify the City Corporation against the payment of any sum that the City Corporation might be called upon to pay, pursuant to any provisions of the said Act. The City Corporation may at any time deduct from moneys due the contractor under this contract, any sum paid to the Board or for which the City Corporation may be liable.
* 16 included in Procedures	
17. In all contracts entered into with the City Corporation where skilled or common labour or workmen employed in the trades are engaged on such contracts with the City, the contractor shall give preference to the employment of men who have resided in Hamilton for at least one year.	8. In all contracts entered into with the City Corporation where skilled or common labour or workmen employed in the trades are engaged on such contracts with the City, the contractor shall give preference to the employment of men who have resided in Hamilton for at least one year.
18. That in all tests of material purchased by the City under contract, and where such tests are made at the instance of the City Corporation or its officers, and where the analysis of such materials do not comply with the specifications in connection with such contracts, the expense of such analysis or tests shall be borne by the Contractor.	9. The Contractor shall, at all times and at his own expense, furnish all reasonable aid and assistance required y the Architect or Inspectors for the proper inspection and examination of the work or any part thereof. The Contractor shall, at his own expense, furnish samples for testing when required and shall furnish all reasonable facilities for the inspection of material and workmanship. The Contractor shall obey the directions and instructions of the Architect, or his authorized representatives, and/or of the Inspection/Testing Companies, and they shall be made in writing at the request of the Contractor. Notwithstanding any inspection that the City might carry out, the failure of the Architect or the Inspectors to notice, discover, condem or object to any defective work or material, shall not constitute a waiver of the Specification or the approval or acceptance of such defective work or material and, except if and as otherwise provided herein, the Contractor shall be and shall remain liable for such defective work or material and any loss, costs, charges or expenses in connection therewith.
* 19 & 20 included in Procedures	

EXISTING REGULATIONS RESPECTING TENDERS AND CONTRACTS	NEW POLICY TO BE APPROVED BY CITY COUNCIL TO REPLACE REDUNDANT POLICY & PROCEDURES
21. The Contractor shall not allow a Sub-contractor to start work until said Sub-contractor has signed an Agreement with the Contractor stating that he agrees to and will carry out the terms as stated in clauses 1 and 17 of these regulations, and that any infraction of aforesaid clauses will be dealt with as laid down in clauses 20 and 22 of these Regulations. * 22 included in Procedures	10. The Contractor shall note the requirements of Article S-11 presecribing form/method of submission of Shop Drawings, shall timely inform the involved Sub-trades of these requirements, and <u>shall enforce</u> the Sub-trades' compliance with same. It shall be the duty of the Contractor to see that all his Sub-contractors, Material suppliers and other parties under his jurisdiction are fully informed in regard to the Instructions to Bidders, Supplementary Instructions to Bidders, General Conditions with Special Provisions (Liquidated Damages), these Supplementary General Conditions, other Tender/Contract Documents, all Addenda which may be issued and all other Regulations, Revisions (Changes), etc. which affect or may affect their prices and work.
23. That in the event of any Contractor not rotating workmen as a condition of the Contract and as provided in the specifications for the work, a penalty be imposed upon the Contractor of $10.00 per day for each workman not so rotated.	11. During periods of extreme unemployment, the City may request the Contractor to institute a work sharing program which must be agreed upon by the Contractor and the individual unions.
24. That Contractors and Sub-Contractors be required to procure tenders or prices from local manufacturers for any works or materials that may be contracted for by the City Corporation.	12. That Contractors and Sub-Contractors be required to procure tenders or prices from local manufacturers for any works or materials that may be contracted for by the City Corporation.

EXISTING REGULATIONS RESPECTING TENDERS AND CONTRACTS	NEW POLICY TO BE APPROVED BY CITY COUNCIL TO REPLACE REDUNDANT POLICY & PROCEDURES
25. Withdrawal of any sealed tender after submission to the Board of Control will not be permitted, and no variation of any sealed tender will be permitted after such tender has been so submitted, save and except in the case of variation due solely to the increase or decrease in the rate of exigible taxes, beyond the control of the tenderer, after the date of submission. Any increase or decrease in the rate of exigible taxes after the date of submission of any tender shall alter the prices thereon, but only to the extent of such increase or decrease. In the event of increase the tenderer must show proof satisfactory to the board of Control that he will not benefit, by reason of the increase, in any manner whatsoever.	13. Withdrawal of a sealed Tender after its submission to the City Clerk, will not be allowed. No variation in Tender Price(s) will be permitted after a sealed Tender has been submitted to the City Clerk, except in the instance of variation due solely to an increase or decrease in the rate of exigible taxes beyond the control of the Bidder, occurring after the time and date of submission of his Tender. An increase or decrease in the rate of exigible taxes under these circumstances shall alter the price of the Tender, but only to the extent of the tax increase or decrease. In the event that a tax increase does occur after the submission of his Tender, the Bidder must prove to the satisfaction of the City of Hamilton that he will not benefit in any way by reason of the increase.
26. That in all City contracts for works or materials licensed trucks or carters of the City of Hamilton shall be engaged exclusively with their vehicles on any such City works or for the transport of materials to or within the City in the performance of such contracts.	14. That in all City contractors for works or materials licensed trucks or carters of the City of Hamilton shall be engaged exclusively with their vehicles on any such City works or for the transport of materials to or within the City in the performance of such contracts.
27. When contracts for amounts in excess of Five Hundred Dollars ($500.00) are awarded by the City Council, a Performance of Contract Bond in an amount equal to fifty per centum (50%) of the contract price shall be deposited with the City Solicitor by the contractor upon execution of the contract. At the discretion of the Board of Control, Performance of Contract Bonds may also be demanded when the of the contract is Five Hudnred Dollars ($500.00) or less.	15. The Bidders are advised that the successful Tenderer shall, prior to the execution of the Contract by the City, take out, pay for and deposit with the City the prescribed Performance of Contract Surety, (Bond), which shall be; a) From a Company acceptable to the City Solicitor. (*) b) In the amount of 50% of the Cost of Contract. c) On the City of Hamilton Form (photocopy included further), or in the form identical as to the purpose, content and coverage to the City of Hamilton Form and acceptable to the City Solicitor. (*) Prior to submitting his Tender, the Bidder may submit to the City Solicitor for his approval, the name of the Surety (Bonding) Company they/he proposes to use if awarded the contract. With his Tender, the Bidder shall submit an "Agreement to Bond", obtained from the Surety (Bonding) Company.
28. The hour set for closing of all tenders shall be 11.00 o'clock a.m. on the days of the Board meetings, viz: Mondays and Wednesdays, and positively no tenders will be received after this hour on the days set and it shall be the duty of the City Clerk to present the tenders received by him to the Board.	16. Sealed Tenders, marked with the name of the Project/Contract, addressed and delivered to E. A. Simpson, Esq., City Clerk, c/o City Hall, Hamilton, Ontario, will be received up to the time and date specified in the Notice of Tender or as subsequently amended by Addendum. The City reserves the right to reject any, or any part of, or all Tenders and also reserves the right to award a contract to other than the Bidder submitting the lowest Tender price. No Tender will be considered by the City unless properly made out on the Tender From furnished by the City, and unless accompanied by the prescribed Bid Bond or Certified Cheque and Agreement to Bond.

EXISTING REGULATIONS RESPECTING TENDERS AND CONTRACTS	NEW POLICY TO BE APPROVED BY CITY COUNCIL TO REPLACE REDUNDANT POLICY & PROCEDURES
	16. (Cont'd) Tenders presented after the designated closing time on their due date will not be considered regardless of the circumstances which resulted in their late arrival, and regardless of the postal cancellation date that may be imprinted on them.
29. That tenderers on any work of construction shall name their sub-contractors, if any, and no sub-contractor when so named shall be changed or substituted without the consent of the Board of Control, and that all sub-contractors when so named shall be furnished with a copy of the City regulations respecting tenders and contracts and which shall include this clause.	17. Enclosed and forming part of Tender Form is the Schedule of Unit Prices for Changes to the contract and the list of Sub-contractors we intend (and shall) use on this project. (All blanks, including the List of Sub-contractors, must be carefully filled in, or the Tender will be declared "Not in Form"). In the appropriate spaces provided for in the Tender Form, the bidder must indicate the names and addresses of all therein designated sub-contractors which he proposes to use on this Project. (only one Firm for a given Sub-contract), and on whose quotations Lump Sum Price has been based. (See also Article .12, Form of Tenders, Supplementary Instructions to Bidders). List of Sub-contractors, which forms part of the Tender Form, must be filled-in with the names of Sub-contractors and the Contractor proposes to use on this project, (indicating also Bid Depository costs for the electrical and the mechanical work). No changes to Sub-contractors so listed shall be made after closing of Tenders, unless with the written approval of the Architect for a valid reason and upon a well substantiated written request from the Contractor. In the list of Sub-contractors the Contractor may indicate "own forces" for some work customarily falling in the scope of a Sub-contractor, but only for work in which the Contractor is customarily actively engaged in, (and Certified for, if applicable), directly or through his bona-fide subsidiary, in which case the name of the subsidiary must be indicated in brackets following the "own forces".
30. Tenders, Contracts and Purchase Orders for all completely manufactured articles, vehicles, tools, and products required by the Corporation of the City of Hamilton to be delivered in their completely manufactured form, are exempted from the provisions of sections Five (5) and Twenty-seven (27) of these REgulations provided always that such completely manufactured articles, vehicles, tools and products shall be subject to inspection, testing, acceptance or rejection by the corporation prior to payment therefor. (This cluase is not applicable to construction tenders and is therefore deleted)	

SCHEDULE C AS REFERRED TO IN CLAUSE 7 (b)
REPLACEMENT PROCEDURES

EXISTING REGULATIONS RESPECTING TENDERS AND CONTRACTS	NEW PROCEDURES TO BE FOLLOWED BY STAFF
* 1 to 6 included in Policy	
7. Where an architect is employed, it shall be the duty of the Secretary of the Department to see that the Architect is supplied with a copy of these regulations and that he submits two copies of the specifications with two sets of the necessary plans to the Board of Control for their approval before advertising or soliciting any work.	1. Where an architect is employed, it shall be the duty of the Secretary of the Department to see that the Architect is supplied with a copy of these regulations and that he submits two copies of the specifications with two sets of the necessary plans to the appropriate Committee for their approval before advertising or soliciting any work.
*8. Included in Policy	
9. It shall be the duty of the Secretary of the board of control to deposit all Bid Bonds accompanying tenders with the City Treasurer without delay, and the City Treasurer shall retain such Bid Bonds until released over the initials of the Secretary of the Board of Control, whose duty it shall be to see that all the necessary formalities have been first complied with.	2. It shall be the duty of the Director of Purchasing to deposit all Bid Bonds and cheques accompanying tenders with the City Treasurer who shall retain such sureties until released over the initial of the Director of Purchasing whose duty it shall be to see that all the necessary formalities have been first complied with.
10. The City Clerk shall stamp with the date upon all tenders accepted by the Council the words "Accepted by the Council" and sign his name after or beneath such words, and he shall forward such tenders, plan and specifications and papers necessary for the preparation of the contract to the City Solicitor, who shall draw such contract and the City Solicitor shall see that such tenders have been marked "Accepted by the Council" and that the plans and specifications have been marked "Approved by the Board of Control".	3. The Director of Purchasing shall prepare a tender analysis of all tenders received, send a copy of the analysis along with tenders to the Department responsible for the project. The Department Head will return the tender document along with his recommendation. The Director of Purchasing will prepare a report to the respective Committee recommending the lowest acceptable bidder and comment on the funding for the project. After Council's acceptance, the City Clerk will notify the Legal Department, Treasury Department Purchasing Department and Department responsible for the project of Council's decision. The Purchasing Department will send the successful bidder's tender to the Legal Department who will prepare a contract for execution. The unsuccessful tenders will be sent to the City Clerk for filing. After the execution of such contract by the contractor, and the same has been marked "Approved" by the City Solicitor, over his signature, it, together with the tender, plans and specifications, shall be forwarded by him to the City Clerk, and where execution of the contract by the City Corporation is required, the Mayor and the City Clerk shall sign the said contracts and the seal of the City Corporation shall be affixed thereto. The City Clerk will after execution of the contract, deposit in his files the tender documents and notify the City Treasurer and the Department Head that the contract has been duly executed. No payment of account or progress payment shall be made until such notification has been made and received by the respective individual.
11. Upon the acceptance by the Council of any contract, the City Clerk shall notify the Secretary of the Department and the City Solicitor of the same, and where an architect is employed the City Clerk shall notify him.	
12. After the execution of such contract by the contractor, and the same has been marked "Approved" by the City Solicitor, over his signature, it, together with the tender, plans and specifications, shall be forwarded by him to the City Clerk, and where execution of the contract by the City Corporationis required, the Mayor and the City Clerk shall sign the said contracts and the seal of the City Corporation shall be affixed thereto.	
13. The City Clerk shall deposit in his office for safe-keeping, the Corporation's part of such contract and he shall notify the City Accountant and the City Treasurer of the filing of such contract, duly executed. No order to be given, work commenced until contract is signed, unless with the consent of the Board of Control.	

EXISTING REGULATIONS RESPECTING TENDERS AND CONTRACTS	NEW PROCEDURES TO BE FOLLOWED BY STAFF
14. No payment shall be made on any contract until such contract has been duly executed and filed in the office of the City Clerk and the City Treasurer shall suspend payment of any account or progress certificate that has not been endorsed by the City Accountant.	
* 10 to 14 combined in new #3 * 15 included in Policy	
16. The Engineer, Architect or person in charge of Works shall not permit contractors to commence or enger upon any work until the contract is duly executed, and Bond, if any, provided.	4. After execution of the Contract, the Architect, shall issue a written Notice To Proceed to the contractor. The Engineer, Architect or person in charge of Works shall not permit contractors to commence or enter upon any work until the contract is duly executed, and Bond, if any, provided, unless permission from the respective Committee Chairman has been received to begin the project before the contract is executed.
* 17 & 18 included In Policy	
19. That the copy of advertisements in the case of all tenders shall be first approved by the City Clerk before its insertion in any newspaper, and no part of the conditions imposed by these regulations shall be inserted in any such advertisement.	5. The City Clerk shall be responsible for inserting all Tender calls in the local general circulation newspaper for one insertion or in other newspapers and/or trade papers and for more than one insertion at the direction of the respective Committee.
20. That a penalty of $5.00 a day be imposed for each individual infraction of the conditions imposed by clauses 1 and 17 of these regulations. * Deleted	
22. Any Contractor or Sub-contractor who violates the terms of Clauses 1 and 17 of these Regulations Respecting Tenders and Contracts will be debarred from tendering on any future Civic Undertakings for a period of not less than one year and until the City Council of the City of Hamilton decides that said Contractor has been adequately penalized.	6. The Director of Purchasing will submit a report to Council requesting that a Contractor or Sub-contractor found not acceptable to the Department responsible for the project be barred from tendering in the future for a fixed period.

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its THIRD REPORT for 1984 and respectfully recommends:

That City of Hamilton Cab Driver's licence no. 3938 held by Daniel Sarrazin be revoked.

For the information of Members of City Council:

Mr. Sarrazin appeared before members of the Licensing Committee at a hearing held on January 12, 1984 and as a result Mr. Sarrazin was issued a conditional Cab Driver's licence for a one month probationary period and that he drive for Veterans' Taxi only.

During this one month probationary period, Mr. Sarrazin was involved with his taxicab in a serious personal injury accident which resulted in his conviction for disobeying a signal light-red.

Mr. Sarrazin was requested to appear before the Licensing Committee at its meeting held July 12, 1984 to show cause why his licence should not be suspended or revoked. Mr. Sarrazin notified the secretary that he did not wish to attend. As a result, the Licensing Committee held a hearing in absentia under the authority of Section 3 of The City of Hamilton Act, 1978, S.O.1978, Ch. 119.

Respectfully submitted,

ALDERMAN F. A. LOMBARDO
CHAIRMAN

S. J. Dembe, Secretary
July 18, 1984

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its FOURTH Report for 1984 and respectfully recommends:

That City of Hamilton Cab Driver's licence no. 1672 held by Alvin William Matchett be revoked.

For the information of Members of City Council:

On Thursday, February 9, 1984, the City of Hamilton Licensing Committee held a show cause hearing into the status of City Hamilton Cab Driver's licence no. 1672. Mr. Matchett appeared before the Committee representing himself although he was advised that he could attend with legal counsel.

Information was given by the President of Yellow Taxi, Mr. A. DiCasa, concerning an incident which occurred on November 5, 1983 and resulted in Mr. Matchett being convicted of the offence of mischief. Mr. Matchett was fined and placed on twelve months' probation for the offence. Mr. Matchett offered an explanation which the members of the Committee found unsatisfactory. It was therefore recommended that that his licence be revoked.

Respectfully submitted,

ALDERMAN F. A. LOMBARDO
CHAIRMAN

S. J. Dembe, Secretary
July 26, 1984

Bill No. A-34

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO WIDEN KINGFISHER DRIVE, BY INCORPORATING THEREIN CERTAIN 1 FOOT RESERVES, BEING ALL OF PARTS 5 AND 18, AND PART OF PARTS 2 AND 3, PLAN 62R-5842

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Kingfisher Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Kingfisher Drive.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 31st day of July, A.D. 19 84.

City Clerk Mayor

(1984) 11 R.T.E.C. 17, June 26

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of parts of Lot 11, Concession 6 of the geographic Township of Barton and more particularly described as follows:

PREMISING that all bearings shown hereon are astronomic and are referred to the western limit of Upper Wentworth Street, on a course of North seventeen degrees, seven minutes, thirty seconds East (N 17° 07' 30" E) as shown on Reference Plan 62R-3355.

FIRSTLY:

COMMENCING at a point in the northern limit of Kingfisher Drive as established by City of Hamilton By-law No. 81-349, registered in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Instrument No. 113363 L.T., and which said point may be located by beginning at the south-west corner of Lot 11, Concession 6 of the said geographic Township of Barton;

THENCE North seventeen degrees, seven minutes, thirty seconds East (N 17° 07' 30" E) along the east limit of the said Lot 6, a distance of four hundred and thirty-eight point three zero five metres (438.305 m.);

THENCE North seventy-one degrees, twenty-six minutes, thirty seconds West (N 71° 26' 30" W) eight point two three three metres (8.233 m.) to the said northern limit of Kingfisher Drive;

THENCE South sixty-two degrees, fifty minutes, thirty seconds West (S 62° 50' 30" W) along the said northern limit sixteen point eight five eight metres (16.858 m.) to an angle therein;

THENCE North seventy-one degrees, twenty-six minutes, thirty seconds West (N 71° 26' 30" W) continuing along the said northern limit sixty-four point four seven five metres (64.475 m.) to the point of commencement;

THENCE North seventy-one degrees, twenty-six minutes, thirty seconds West (N 71° 26' 30" W) along the said northern limit ninety-one point one six zero metres (91.160 m.) to the beginning of a curve to the left, having a radius of eighty-nine point zero zero six metres (89.006 m.);

THENCE continuing along the said northern limit on the said curve to the left an arc distance of ninety-three point two two nine metres (93.229 m.) the chord equivalent having a distance of eighty-eight point eight seven one metres (88.871 m.) and a bearing of South seventy-eight degrees, thirty-six minutes, thirty-six seconds West (S 78° 36' 36" W) to the eastern limit of Kingfisher Drive as incorporated by City of Hamilton By-law No. 83-205 and registered in the said Land Registry Office as Instrument No. 132690 L.T.;

THENCE North forty-one degrees, eighteen minutes, forty-one seconds West (N 41° 18' 41" W) along the said eastern limit zero point three zero metres (0.30 m.);

THENCE north-easterly on a curve to the right, having a radius of eighty-nine point three zero six metres (89.306 m.) an arc distance of ninety-three point two two nine metres (93.229 m.), the chord equivalent having a distance of eighty-nine point zero five three metres (89.053 m.) and a bearing of North seventy-eight degrees, thirty-six minutes, thirty-six seconds East (N 78° 36' 36" E);

THENCE South seventy-one degrees, twenty-six minutes, thirty seconds East (S 71° 26' 30" E) and tangential to the last-mentioned curve ninety-one point one six zero metres (91.160 m.) to a line drawn on a course of North seventeen degrees, six minutes, twenty-five seconds East (N 17° 06' 25" E) from the point of commencement;

THENCE South seventeen degrees, six minutes, twenty-five seconds West (S 17° 06' 25" W) zero point three zero metres (0.30 m.) to the point of commencement.

The above-described lands being part of Part 3 as shown on a Reference Plan received and deposited in the said Land Registry Office as Plan 62R-5842 and designated as Part 1 on the attached Regional Municipality of Hamilton-Wentworth Plan No. RA-H-248 Surveys, as illustrated in heavy outline.

SECONDLY:

COMMENCING at the intersection of the western limit of Upper Wentworth Street as widened with the southern limit of Kingfisher Drive as established by City of Hamilton By-law No. 81-349, registered in the said Land Titles Division of the Land Registry Office as No. 113363 L.T. and which said point may be located by beginning at the south-west corner of Lot 11, Concession 6 of the said geographic Township of Barton;

THENCE North seventeen degress, seven minutes, thirty seconds East (N 17° 07' 30" E) along the east limit of said Lot 6, a distance of three hundred and eighty-eight point five four nine metres (388.549 m.);

THENCE North seventy-one degrees, twenty-six minutes, thirty seconds West (N 71° 26' 30" W) eight point two three three metres (8.233 m.) to the point of commencement;

THENCE North twenty-seven degrees, nine minutes, thirty seconds West (N 27° 09' 30" W) along the said southern limit of Kingfisher Drive seventeen point two seven zero metres (17.270 m.) to an angle therein;

THENCE North seventy-one degrees, twenty-six minutes, thirty seconds West (71° 26' 30" W) continuing along the southern limit one hundred and fifty-six point two seven four metres (156.274 m.) to the beginning of a curve to the left;

THENCE westerly continuing along the southern limit on a curve to the left, having a radius of sixty-three point three nine four metres (63.394 m.) an arc distance of one hundred and one point one six five metres (101.165 m.), the chord equivalent being ninety point seven six seven metres (90.767 m.) and a bearing of South sixty-two degrees, fifty minutes, thirty seconds West (S 62° 50' 30" W);

THENCE South seventeen degrees, seven minutes, thirty seconds West (S 17° 07' 30" W) continuing along the southern limit and tangential to the last-mentioned curve seventy-three point six six four metres (73.664 m.) to the northern limit of Heron Place, according to Cardinal Heights Addition No. 5 (Phase 1), registered in the said Land Titles Division of the said Land Registry Office as Plan 62M-326;

THENCE South seventy-two degrees, fifty-two minutes, thirty seconds East (S 72° 52' 30" E) along the last-mentioned northern limit zero point three zero metres (0.30 m.);

THENCE North seventeen degrees, seven minutes, thirty seconds East (N 17° 07' 30" E) seventy-three point six six four metres (73.664 m.) to the beginning of a curve to the right;

THENCE north-easterly along the said curve to the right, having a radius of sixty-three point zero nine four metres (63.094 m.) an arc distance of one hundred point six eight six metres (100.686 m.), the chord equivalent having a distance of ninety point three three seven metres (90.337 m.) and a bearing of North sixty-two degrees, fifty minutes, thirty seconds East (N 62° 50' 30" E);

THENCE South seventy-one degrees, twenty-six minutes, thirty seconds East (S 71° 26' 30" E) and tangential to the last-mentioned curve a distance of one hundred and fifty-six point one five nine metres (156.159 m.);

THENCE South twenty-seven degrees, nine minutes, thirty seconds East (S 27° 09' 30" E) seventeen point four five six metres (17.456 m.) to the aforementioned western limit of Upper Wentworth Street as widened;

THENCE North seventeen degrees, seven minutes, thirty seconds East (N 17° 07' 30" E) along the said western limit as widened zero point four three metres (0.43 m.) to the point of commencement.

The above-described lands being all of Part 18 and part of Part 2 as shown on a Reference Plan received and deposited in the said Land Registry Office as Plan 62R-5842 and designated as Part 2 on the attached Regional Municipality of Hamilton-Wentworth Plan No. RA-H-248 Surveys, as illustrated in heavy outline.

<u>THIRDLY</u>:

All of Part 5 as shown on the said Reference Plan received and deposited in the said Land Titles Office as Plan 62R-5842.

Bill No. A-35

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO WIDEN REXFORD DRIVE, BY INCORPORATING THEREIN A PORTION OF BLOCK "AX", PLAN M-200

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Rexford Drive by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Rexford Drive.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 31st day of July, A.D. 1984.

City Clerk Mayor

(1984) 12 R.T.E.C. 25, June 26

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Block "AX", according to Randall Estates (Phase 1), filed in the Land Titles Division of the Land Registry Office for the Registry Division of Wentworth as Plan M-200 and which said parcel may be more particularly described as follows:

PREMISING that all bearings described herein are astronomic and are referred to the eastern limit of Rexford Drive on a course of North seventeen degrees, thirty-four minutes East (N 17° 34' E) as shown on the said Randall Estates (Phase 1);

COMMENCING at a point in the eastern limit of Block "AX" distant one hundred and fifty point zero feet (150.0') measured South seventeen degrees, thirty-four minutes West (S 17° 34' W) along the eastern limit from the north-east angle of Block "AX";

THENCE South seventeen degrees, thirty-four minutes West (S 17° 34' W) along the eastern limit of Block "AX" fifty point zero feet (50.0');

THENCE North seventy-two degrees, forty minutes West (N 72° 40' W) one point zero feet (1.0') to the western limit of Block "AX";

THENCE North seventeen degrees, thirty-four minutes East (N 17° 34' E) along the said western limit fifty point zero feet (50.0');

THENCE South seventy-two degrees, forty minutes East (S 72° 40' E) one point zero feet (1.0') to the point of commencement.

The above-described parcel being shown in heavy outline on Plan No. RA-H-253 Surveys hereto attached.

Bill No. A-36

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO WIDEN RICHMOND STREET, BY INCORPORATING THEREIN PART 19, PLAN 62R-7215

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Richmond Street.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 31st day of July, A.D. 1984.

City Clerk Mayor

(1984) 9 R.T.E.C. 30, May 29

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lots 9, 10, 11, 12, 13 and 14 and part of Hunter Street (as closed by City of Hamilton By-law No. 66-223, registered as Instrument No. 21410 A.B.), according to J. Faulknor Survey, registered in the Land Registry Office for the Registry Division of Wentworth as Plan Number 138 and designated as Part 19 on a Reference Plan received and deposited in the said Land Registry Office as Plan 62R-7215.

Bill No. A-37

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO WIDEN HILL STREET
BY INCORPORATING THEREIN PART 18, PLAN 62R-7215

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to widen a portion of the highway known as Hill Street by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as public highway to form part of Hill Street.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this 31st day of July, A.D. 19 84.

City Clerk Mayor

(1984) 9 R.T.E.C. 30, May 29

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lots 9 and 10, according to J. Faulknor Survey, registered in the Land Registry Office for the Registry Division of Wentworth as Number 138 and part of Lot 18, Concession 3 of the geographic Township of Barton and designated as Part 18 on a Reference Plan received and deposited in the said Land Registry Office as Plan 62R-7215.

Bill No. A-38

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 84 -

TO CLOSE AND RETAIN A PORTION OF COPE STREET, FROM BRITANNIA AVENUE TO ALLAN AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 to stop-up any highway or part of a highway;

AND WHEREAS it is deemed expedient to stop-up and retain a portion of the highway described herein;

AND WHEREAS Notice of this By-law has been published as required by Section 301 of the said The Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to, or in support of this By-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The portion of the highway described in Schedule "A" attached hereto is hereby stopped-up.

PASSED this 31st day of July, A.D. 1984.

City Clerk

Mayor

(1984) 12 R.T.E.C. 24, June 26

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Cope Street, according to Roxborough Gardens, Registered Plan No. 613 and Homeside Extension, Registered Plan No. 498, and all of a given road in Lot 2, Concession 2, in the geographic Township of Barton, known as Cope Street, lying immediately north and south of the said Registered Plans No. 613 and No. 498 respectively, described as follows:

PREMISING that the western limit of the said Cope Street has a bearing of North seventeen degrees, forty-two minutes, thirty seconds East (N 17° 42' 30" E) as shown on Reference Plan 62R-6999 and relating all bearings herein thereto;

COMMENCING at the intersectionof the western limit of Cope Street with the northern limit of Britannia Avenue, being the south-east angle of Lot 331, Roxborough Garden, Registered Plan No. 613;

THENCE North seventeen degrees, forty-two minutes, thirty seconds East (N 17° 42' 30" E) along the western limit of the said Cope Street, thirty-seven point four eight four metres (37.484 m.) to a point in the north-western limit of Registered Plan No. 613, being the north-east angle of Block "E" thereof;

THENCE North thirteen degrees, thirty-eight minutes, thirty seconds West (N 13° 38' 30" W) along the western limit of the given road known as Cope Street, ten point one zero metres (10.10 m.) to its intersection with the southern limit of Registered Plan No. 498, being the south-east angle of Lot 140, Registered Plan No. 498;

THENCE North seventeen degrees, forty-two minutes, thirty seconds East (N 17° 42' 30" E) along the said western limit of Cope Street one point eight two nine metres (1.829 m.) to its intersection with the southern limit of Allan Avenue (formerly Lloyd Avenue) being the north-east angle of the said Lot 140;

THENCE South seventy-two degrees, fifty-nine minutes East (S 72° 59' E) along the easterly production of Allan Avenue, three point one four three metres (3.143 m.) to its intersection with the southern limit of Registered Plan No. 498;

THENCE North seventy-seven degrees, zero minutes East (N 77° 0' E) along the said southern limit of Registered Plan No. 498 a distance of seventeen point six one three metres (17.613 m.) to its intersection with the eastern limit of Cope Street, being the south-west angle of Lot 185, Registered Plan No. 498;

THENCE South thirteen degrees, thirty-three minutes, forty seconds East (S 13° 33' 40" E) along the eastern limit of the said given road. ten point zero nine one metres (10.091 m.) to its intersection with the northern limit of Registered Plan No. 613, being the north-west angle of Block "F" thereof;

THENCE South seventeen degrees, forty-two minutes, thirty seconds West (S 17° 42' 30" W) along the eastern limit of said Cope Street, forth-eight point two two eight metres (48.228 m.) to its intersection with the northern limit of Britannia Avenue, being the south-west angle of Lot 337, Registered Plan No. 613;

THENCE North seventy-two degrees, thirty-nine minutes, forty seconds West (N 72° 39' 40" W) along the northern limit of Britannia Avenue eighteen point two eight eight metres (18.288 m.) to the point of commencement.

Bill No. A-39

By-law No. 84 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:-

Traffic

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by deleting therefrom the following item, namely:-

"Edward	Eastbound and Westbound	Barnesdale".

and by adding thereto the following items, namely:-

"Markland	Westbound	Park
Markland	Westbound	Caroline
Carene	Eastbound	Gailmont
Caledon	Northbound and Southbound	Lotus
Westwood	Eastbound	Cline
Edward	Westbound	Barnesdale
Solidarnosc	Eastbound	Barnesdale
Gafney	Southbound	Gemini
Gardiner	Northbound	Gemini".

3. Schedule 31 (School Bus Loading Zones) is hereby amended by deleting therefrom the following item, namely:-

"Columbia	West	303 ft.	52 ft. south of Bendamere	7:00 a.m.-6:00 p.m., Monday to Saturday".

and by adding thereto the following items, namely:-

"Bendamere	South	204 ft.	64 ft. west of Columbia	7:00 a.m.-6:00 p.m., Monday to Saturday
East 5th	West	46 ft.	101 ft. south of Brucedale	7:00 a.m.-6:00 p.m., Monday to Saturday
Sanatorium	North	46 ft.	196 ft. west of West 33rd	7:00 a.m.-6:00 p.m., Monday to Saturday
Hester	North	128 ft.	35 ft. west of Ronaldshay	7:00 a.m.-6:00 p.m., Monday to Saturday".

2. Schedule 16 (No Left Turn at Certain Intersections) is hereby amended by deleting therefrom the following item, namely:-

"Hughson	Northerly	King (South Branch)	12:00 noon to 8:00 a.m.".

and by adding thereto the following item, namely:-

"Hughson	Northerly	King (South Branch)	11:00 a.m. to 6:00 p.m.".

PASSED this day of , A.D. 1984.

City Clerk Mayor

(1984) 13 R.T.E.C. 61, July 31

Bill No. A-40

By-law No. 84 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 22 (Hamilton Street Railway Bus Routes) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by deleting from the Stoney Creek Saltfleet Community Extension Table the following words, namely:-

"west on Limeridge to Upper Wentworth and return".

and by adding thereto the following words, namely:-

"west on Limeridge to Limeridge Mall, west on Kingfisher to Limeridge, west on Limeridge to Limeridge Loop opposite Kendale Court and return".

2. Schedule 23 (Hamilton Street Railway Bus Stops) is hereby amended by adding to the Stoney Creek Saltfleet Community Extension Table the following items, namely:-

"Westbound	Eastbound
- Kingfisher, 100' w of Upper Wentworth	- Limeridge opposite Ridge
- Kingfisher at Limeridge	- Limeridge opposite Maitland
- Limeridge at Flamingo	- Limeridge at Upper Wellington
- Limeridge at Upper Wellington	- Limeridge opposite Flamingo
- Limeridge at Maitland	- Kingfisher, 100' n of Limeridge
- Limeridge at Ridge	- Kingfisher at Upper Wentworth
- Limeridge at Upper James".	

3. Schedule 25B (Parking Time Limits) is herby amended:-

(a) by adding to Section 2 (Two Hour Limit) the following item, namely:-

"Audrey	Both	East 27th to Crockett".

(b) by deleting from Section 4 (One Hour Limit) the following item, namely:-

"Napier	South	Caroline to 101 feet west".

and by adding thereto the following item, namely:-

"Napier	South	Caroline to 248 feet west".

4. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following items, namely:-

"Emerald	Both	Main to 250 feet south
East 35th	East	Munn to Concession
Edward	South	St. Ann to Barnesdale".

and by adding thereto the following items, namely:-

"Emerald	East	Main to 250 feet south
Markland	South	Bay to Queen
Elgar	West	Limeridge to 112 feet north
Solidarnosc	South	St. Ann to Barnesdale
Cascade	Both	Lake to westerly end
Covington	Both	Barton to Cascade".

5. Schedule 26B (No Parking Areas) is hereby amended by adding thereto the following item, namely:-

"Markland	North	Bay to Queen	2nd Thursday each month, 8:00 a.m. - 12:00 noon".

6. Schedule 27A (Alternate Side Parking) is hereby amended by deleting therefrom the following item, namely:-

"Markland Street Queen Street to James Street	South	North

and by adding thereto the following items, namely:-

"Markland Street Bay Street to James Street	South	North
East 35th Street Concession Street to Munn Street	East	West".

7. Schedule 34 (Sticker Permit Parking) is hereby amended be deleting therefrom the following item, namely:-

"Napier	South	commencing at a point 101 feet west of Caroline to Hess".

and by adding thereto the following item, namely:-

"Napier	South	Hess to a point 195 feet east

PASSED this day of , A.D. 1984.

City Clerk Mayor

(1984) 13 R.T.E.C. 61, July 31

Bill No. B-4

The Corporation of the City of Hamilton

BY-LAW NO. 84-

TO EXPROPRIATE LAND

For Redevelopment as a park

WHEREAS Section 22, subsection 2, of The Planning Act, R.S.O. 1980, Chapter 379, provides that a municipality that has an official plan may pass by-laws with the approval of the Minister to designate areas of the municipality within such official plan as redevelopment areas;

AND WHEREAS The Corporation of the City of Hamilton has an official plan and did with the approval of the Minister, on September 14, 1982 enact By-law 82-196 to designate the Homeside Neighbourhood as a redevelopment area;

AND WHEREAS The Corporation of the City of Hamilton has by By-law 83-26 passed on December 14, 1982 adopted a redevelopment plan for the said Redevelopment Area pursuant to and in accordance with Section 22(5) of the said Planning Act;

AND WHEREAS subsection 3 of the said Section 22 provides that a municipality which, as so designated, a redevelopment area may, with the approval of the Minister, -

(a) acquire land within the redevelopment area;
(b) hold land acquired before or after the passing of the by-law within the redevelopment area; and,
(c) clear, grade or otherwise prepare the land for redevelopment.

AND WHEREAS on May 5, 1983, the Minister did approve the acquisition of the land described in Schedule "A" attached for redevelopment as a park;

AND WHEREAS the land described in Schedule "A" is wholly situate within the said Redevelopment Area;

AND WHEREAS Section 74 of The Planning Act, 1983, S.O. c.1, provides that the redevelopment provisions of The Planning Act, R.S.O. 1980, c.379 shall continue to apply to those redevelopment areas designated by by-law on or before August 1, 1983;

AND WHEREAS Section 193 of The Municipal Act, R.S.O. 1980, Chapter 302 states that the Council of a municipality may pass by-laws for acquiring or expropriating any land required for the purposes of the Corporation;

AND WHEREAS on December 13, 1983 pursuant to The Expropriations Act, R.S.O. 1980, Chapter 148, The Corporation of the City of Hamilton, as expropriating authority, did authorize application to the Council of The Corporation of the City of Hamilton as approving authority, for approval of the expropriation of the land described in Schedule "A" attached hereto;

AND WHEREAS Notices of the said application as required under The Expropriations Act have been served;

AND WHEREAS The Corporation of the City of Hamilton as expropriating authority, did publish Notice of the said application in The Spectator, a newspaper having general circulation in the City of Hamilton in accordance with the said Expropriations Act;

AND WHEREAS an inquiry hearing to determine if the proposed expropriation was fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority was requested and this request was withdrawn;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. As approving authority under the said Expropriations Act, the application for the approval to expropriate the land described in Schedule "A" for redevelopment as a park made by The Corporation of the City of Hamilton, as expropriating authority, be and is hereby granted.

2. As expropriating authority under The Expropriations Act, The Corporation of the City of Hamilton hereby expropriates the land described in the said Schedule "A" for redevelopment as a park.

3. The City Clerk and the proper officers of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this by-law and this authority shall include the taking of all necessary proceedings to enter and take possession of the land herein expropriated.

PASSED this day of A.D., 1984.

Mayor

City Clerk

Legal File No. 55-77.8

SCHEDULE "A"

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Lots 331 and 332, Roxborough Gardens, registered in the Land Registry Office for the Registry Division of Wentworth as Registered Plan No. 613 and being more particularly described as Part 7 according to a reference plan received and deposited in the said Registry Office as Plan 62R-6247.

Bill No. D-91

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

By-law No. 83-71

Respecting:

MEMBERSHIP IN THE BOARD OF MANAGEMENT OF A BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 83-71, passed on the 22nd day of February, 1983, established a Board of Management for the Improvement Area generally bounded by King William Street, Mary Street, Main Street East and James Street North, pursuant to subsections 1 and 6 of section 217 of The Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS certain members heretofore appointed have tendered their resignation to the said Board of Management;

AND WHEREAS it is intended to make appointments to the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraphs 7, 9 and 17 of clause 2(b) of By-law No. 83-71 are repealed and the following substituted therefor:

7.	Terry Olver	-	Guaranty Trust
9.	Alan Stevenson	-	Heaton & Hassal
17.	Nat Davidson	-	Hamilton Convention Centre

2. Clause 2(b) of the said by-law is amended by adding thereto the following paragraphs:

18.	Paul Sefarian	-	Paul's Shoe Repair
19.	Jim Suenaga	-	James' Jewellers

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 13 R.P.D.C. 17, June 26

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 199 WILSON STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950, and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-4 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

   (a) by changing from **"L-mr-2"** (Planned Development - Multiple Residential) district to **"E"** (Multiple Dwellings, Lodges, Clubs, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

   1. Notwithstanding subclauses (i), (ii), and (iii) of subsection 11(2) of By-law No. 6593, no building or structure shall exceed two storeys in height.

   2. Notwithstanding subclause (b) of clause 11(3)(ii) of the said by-law, a side yard along the easterly lot line shall not be required to be provided.

   3. Notwithstanding subclause (b) of clause 11(3)(iii) of the said by-law, a rear yard of a depth of not less than 1.29 metres shall be provided and maintained.

4. Notwithstanding subclause (e) of clause 18(3)(iv) and clause (c) of paragraph 3 of Table 1 to clause 18A(1)(a) of the said by-law, no parking spaces shall be required to be provided.

5. Subsections 11(5,6) of the said by-law shall not apply.

6. Clause 18(6)(ii) of the said by-law shall not apply.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-853".

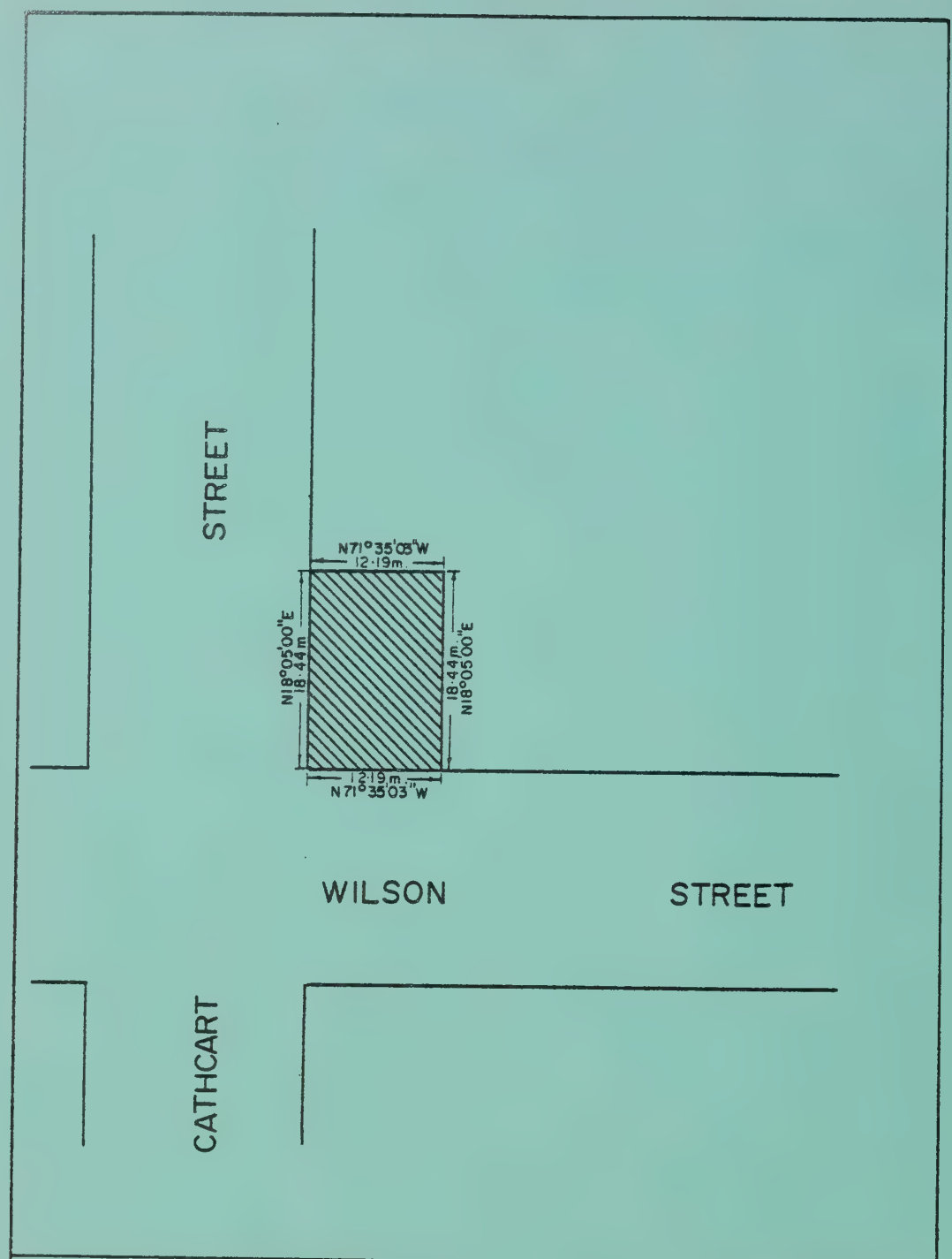
5. Sheet No. E-4 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-853".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 1 R.P.D.C. 1, January 31
Canadian Corps Association, Owners
ZA-83-63



THIS IS SCHEDULE "A" TO BY-LAW NO.84 -
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.84-

TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "Lmr-2" (PLANNED DEVELOPMENT-MULTIPLE RESIDENTIAL) DISTRICT TO "E" (MULTIPLE DWELLINGS, LODGES, CLUBS, ETC.) DISTRICT.

North	Scale	Reference File No.
	N. T. S.	ZA 83-63
	Date	Drawing No.
	JAN. 25, 84	

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Repeal:

Zoning By-law No. 81-134

Respecting:

LAND LOCATED AT THE SOUTH-EAST CORNER OF UPPER SHERMAN AVENUE AND LIMERIDGE ROAD EAST

WHEREAS By-law No. 81-134, passed on April 28, 1981, rezoned the land shown on schedule "A" to the by-law from "AA" (Agricultural) district to "DE-2" (Multiple Dwellings) district, and established two special requirements;

AND WHEREAS clause 5(d) of the 12th Report of the Planning and Development Committee, adopted by City Council on June 26, 1984, directed that By-law No. 81-134 be repealed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 81-134 is repealed.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 12 R.P.D.C. 5(d), June 26
ZA-84-13

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 508 and 544 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to, by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets Nos. E-27A and E-27B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

(a) by changing from **"AA"** (Agricultural) district to **"HH"** (Restricted Community Shopping and Commercial) district, the land,

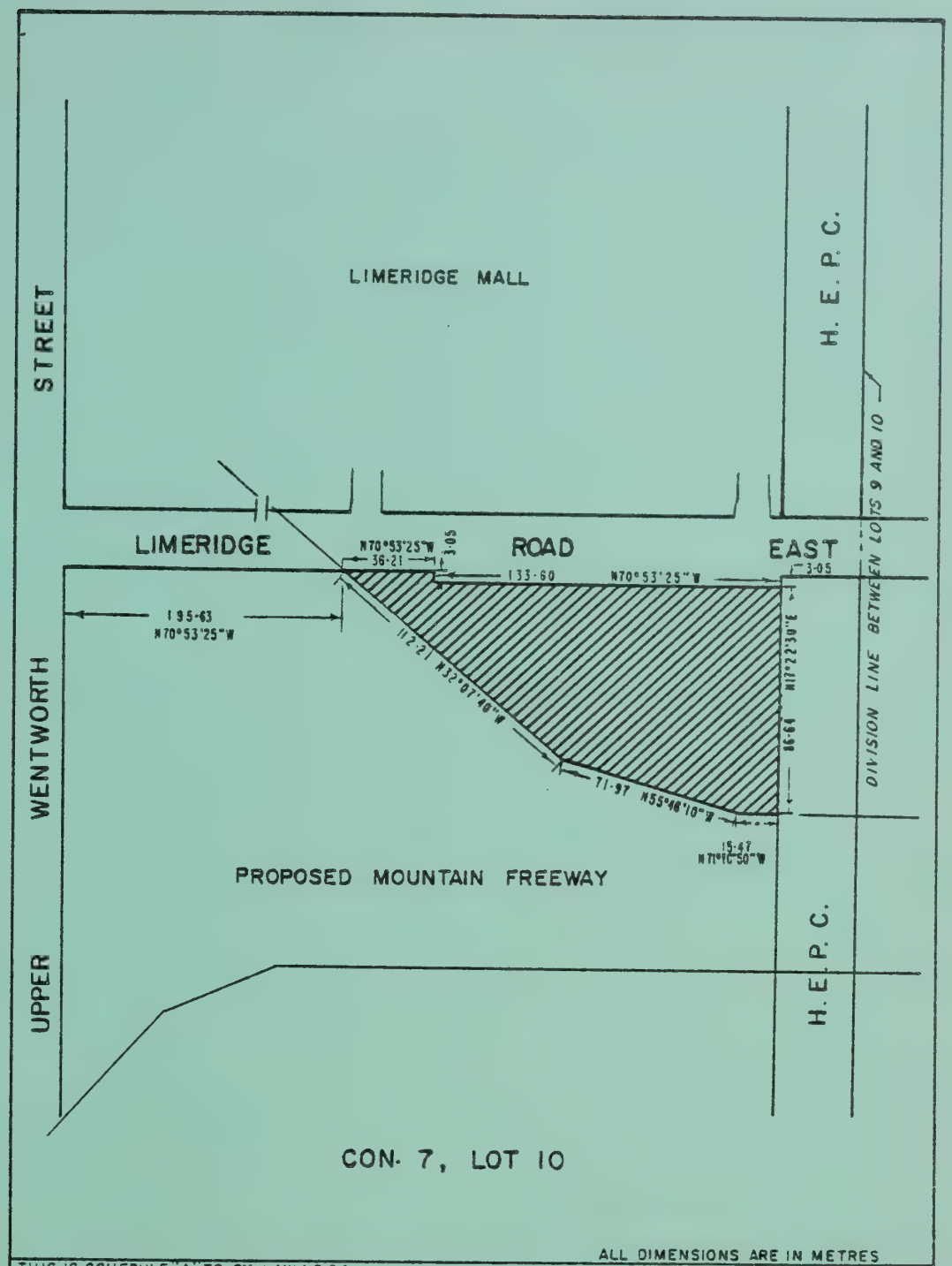
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 12 R.P.D.C. 1, June 26
G. MacLaren and A. and M. Frianco, Owners
ZA-84-22 and ZA-84-23



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.84-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "HH" (COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT

North	Scale	Reference File No.
	1:2000	ZA 84-22 ZA 84-23
	Date JUNE 19, 1984	Drawing No.

Bill No. D-95

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE NORTH SIDE OF BARTON STREET EAST, BETWEEN HARMONY AVENUE AND DIVISION STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to, by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-63 of the District Maps, appended to and forming part of By-law No. 6593 is amended,

   (a) by changing from **"H"** (Community Shopping and Commercial, etc.) district to **"DE"** (Low Density Multiple Dwellings) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1983) 9 R.P.D.C. 7, April 26
City Initiative 83-J

Bill No.

This is Schedule "A" to By-law No. 84- passed the day of

THE CORPORATION OF THE CITY OF HAMILTON

City Clerk

Mayor

Bill No. D-96

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA EAST OF UPPER SHERMAN AVENUE, AND SOUTH OF THE PROPOSED MOUNTAIN FREEWAY

WHEREAS it is intended to change the zoning of the lands hereinafter referred to, by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from **"D"** (Urban Protected Residential - One and Two Family Dwellings, etc.) district to **"R-4"** (Small Lot Single-Family Detached) district, the land,

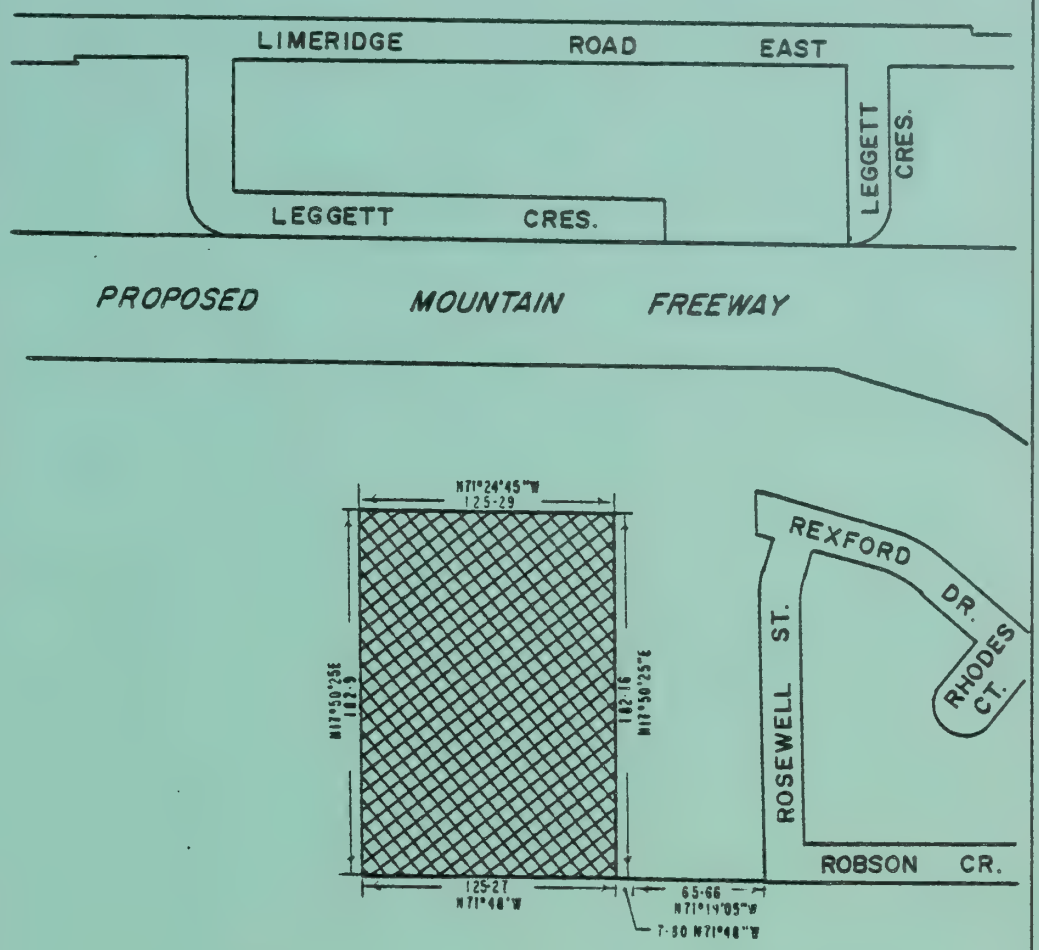
the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 12 R.P.D.C. 2, June 26
ZA-84-27 - Abbotsford Homes Limited
(Owner of Block 1)
ZA-84-28 - Symroy Corporation Limited
(Owner of Block 2)



LOT 8, CON. 7

ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 84 -

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO. 84-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "D" (URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS ETC.) DISTRICT TO "R-4" (SMALL LOT SINGLE-FAMILY DETACHED) DISTRICT.

North	Scale	Reference File No.
	N. T. S.	ZA 84-27 ZA 84-28
	Date JUNE 13, 1984	Drawing No.

Bill No. D-97

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 44 LEEMING STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

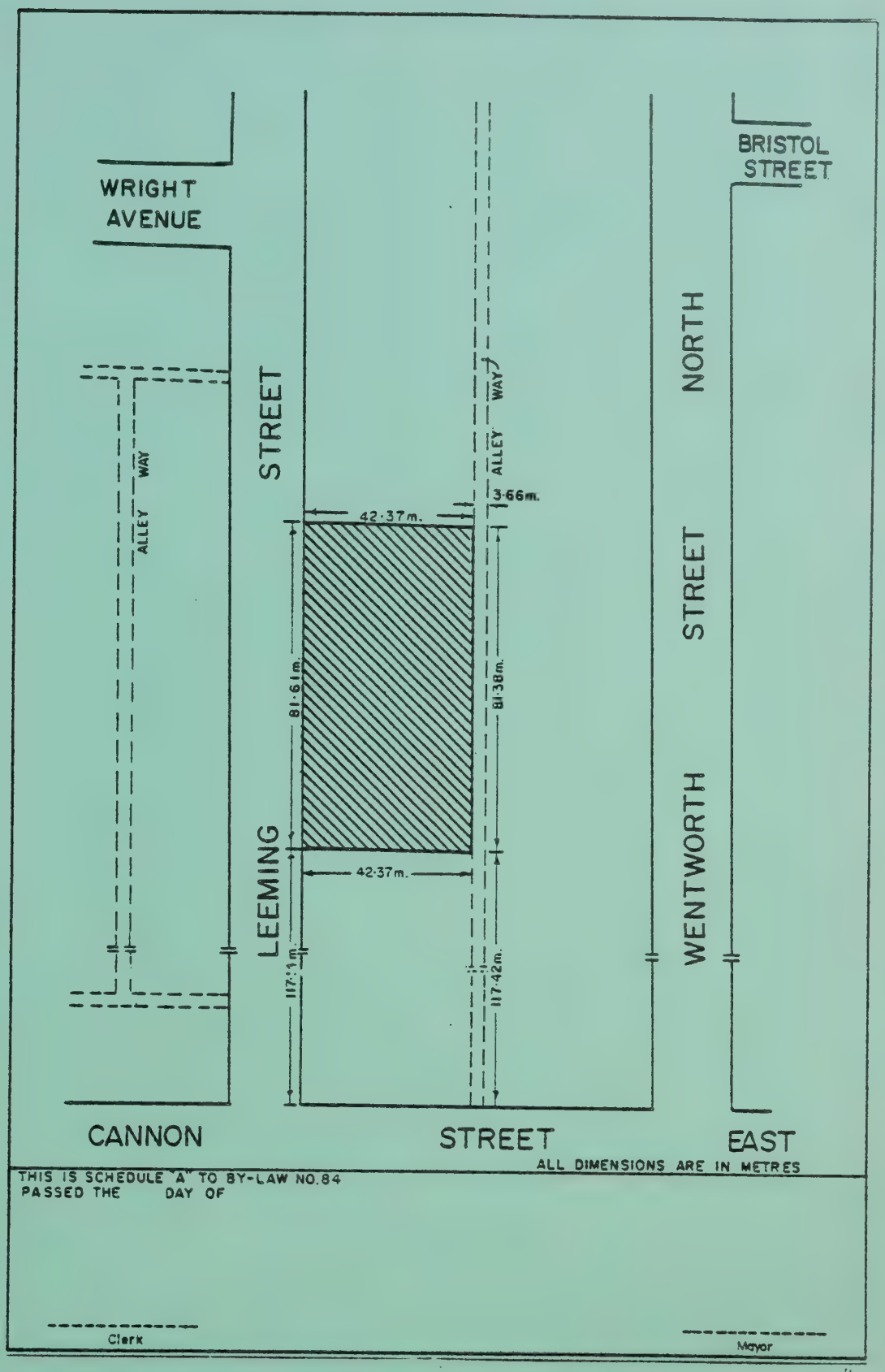
74. Land located at Municipal No. 44 Leeming Street, shown on Appendix 74 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 74.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 13 R.P.D.C. 5(b), June 26
307623 Ontario Limited, Owner
ZA-84-31



Z4 84-31

LEGEND

Lands designated under this by-law as an area of Site Plan Control pursuant to Section 40 of The Planning Act.

Appendix 74 to By-law No. 79-275.

Bill No. D-98

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 627 to 633 QUEENSTON ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to, by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-95 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from **"DE"** (Low Density Multiple Dwellings) district to **"HH"** (Restricted Community Shopping and Commercial) district, the land comprised in Block 1, and

(b) by changing from **"DE"** (Low Density Multiple Dwellings) district to **"G-3"** (Public Parking Lots) district, the land comprised in Block 2,

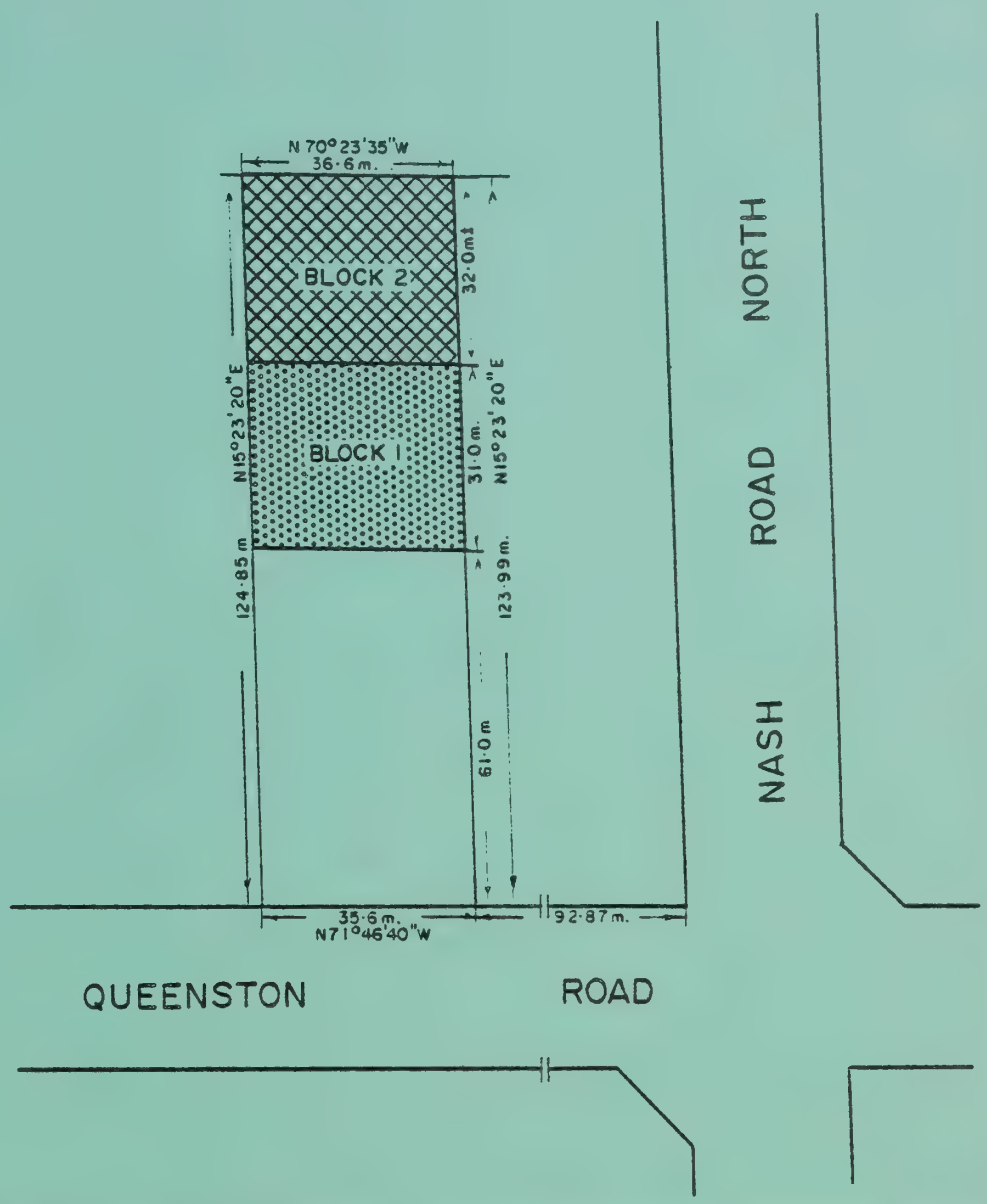
the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 13 R.P.D.C. 3, June 26
Eric, Ken and Aveline White, Owners
ZA-84-34



THIS IS SCHEDULE "A" TO BY-LAW NO.84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY - LAW NO.84-
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend
CHANGE IN ZONING FROM "DE" (LOW DENSITY MULTIPLE DWELLINGS) DISTRICT TO:

BLOCK 1 "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.

BLOCK 2 "G-3" (PUBLIC PARKING LOTS) DISTRICT

North	Scale	Reference File No.
	1:1000	ZA 84-34
	Date	Drawing No.
	JUNE 20, 1984	

Bill No. D-99

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 27 BOLD STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-5 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from **"E-3"** (High Density Multiple Dwellings) district to **"E-1"** (Multiple Dwellings, Lodges, Clubs, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) district provisions applicable to the land referred to in section 1 are amended to the extent only of the special requirement that,

(a) Notwithstanding subsection 11A(1) of By-law No. 6593, commercial uses are prohibited in the building existing on the day of the passing of this by-law, except in the basement and in the first storey.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-875".

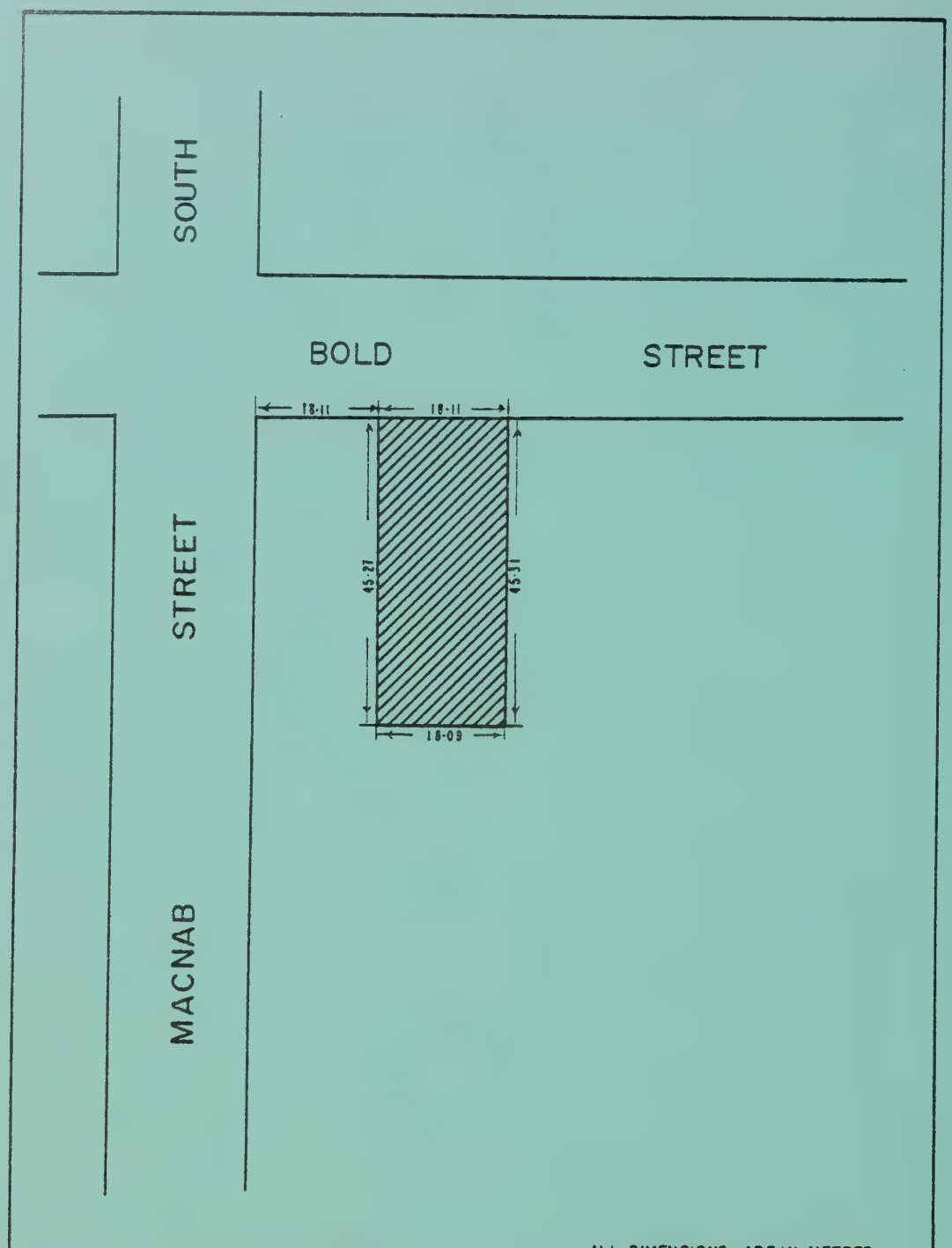
5. Sheet No. W-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-875".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 12 R.P.D.C. 4, June 26
D. N. Morrison, Owner
ZA-84-30



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 84-

TO AMEND BY-LAW NO. 84-

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "E-3" (HIGH DENSITY MULTIPLE DWELLINGS) DISTRICT TO "E-1" (MULTIPLE DWELLINGS, LODGES, CLUB, ETC.) DISTRICT.

North	Scale	Reference File No.
	1 : 750	ZA 84-30
	Date	Drawing No.
	JUNE 14, 1984	

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 154 JACKSON STREET EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-5 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

   (a) by changing from **"L-mr-2"** (Planned Development - Multiple Residential) district to **"E-1"** (Multiple Dwellings, Lodges, Clubs, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) district provisions applicable to the land referred to in section 1, are amended to the extent only of the special requirement that,

   (a) Notwithstanding clause 18A(1)(a) and clause (a) of paragraph 4 of Table 1 referred to therein of By-law No. 6593, no parking spaces shall be required to be provided and maintained for a medical office.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-874".

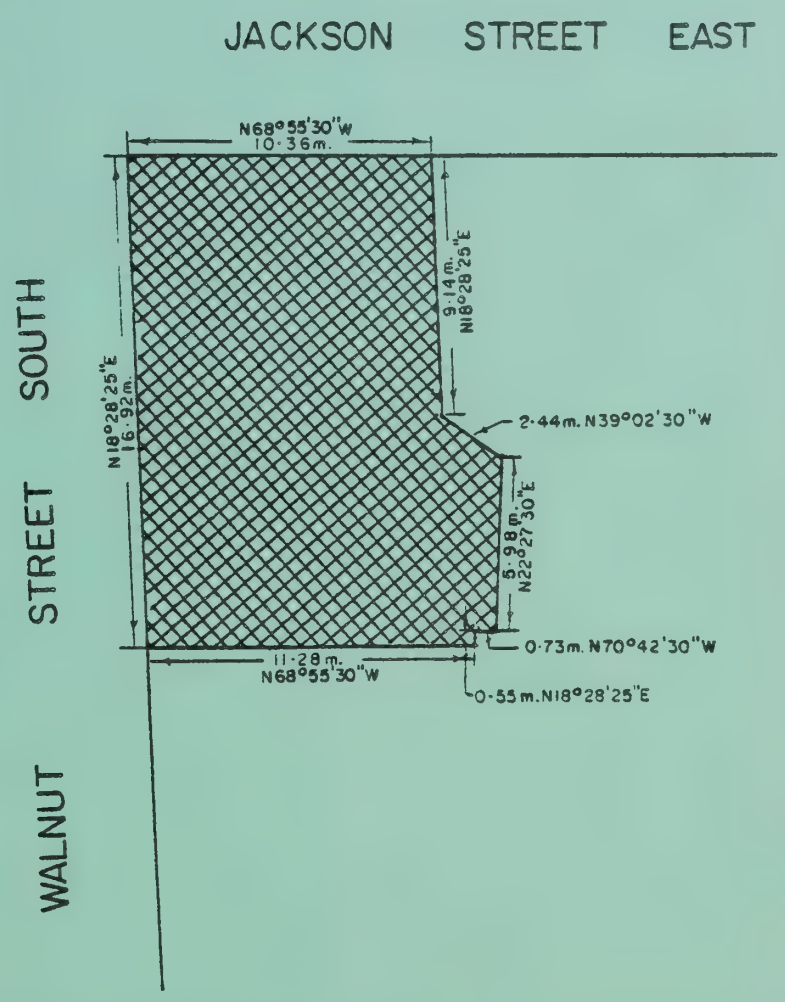
5. Sheet No. E-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-874".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 12 R.P.D.C. 3, June 26
D. Bodnar, Owner
ZA-84-24



THIS IS SCHEDULE "A" TO BY-LAW NO. 84-
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 84-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGE IN ZONING FROM "L-mr-2" PLANNED DEVELOPMENT-MULTIPLE RESIDENTIAL) DISTRICT TO "E-1" (MULTIPLE DWELLINGS, LODGES, CLUBS, ETC.) DISTRICT.

North	Scale	Reference File No.
	1:200	ZA 84-24
	Date	Drawing No.
	JUNE 15, 1984	

Bill No. D-101

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

As Amended by:

By-law No. 80-290

Respecting:

PENNY ARCADES

WHEREAS By-law No. 80-290, passed on the 28th day of October, 1980, amended General Zoning By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), respecting "Penny Arcades";

AND WHEREAS the Ontario Municipal Board by Decision dated the 22nd day of December, 1981, (File No. R 81223), approved By-law No. 80-290 as a holding by-law for a period of 18 months so that the City can "consider the ramifications of the definition of Penny Arcade [in By-law No. 80-290] and should the City consider it appropriate, bring an amendment forward to this panel of the Board by way of by-law amendment";

AND WHEREAS By-law No. 82-52 was passed on the 9th day of March, 1982 for the purpose of giving effect to the Board's Decision by re-instating the definition of "Penny Arcade" originally present in General Zoning By-law No. 6593;

AND WHEREAS By-law No. 82-52 was subsequently replaced by By-law No. 83-269, passed on the 28th day of September, 1983;

AND WHEREAS the Board, by Order dated the 20th day of June, 1984, approved By-law No. 80-290, as amended by By-law No. 83-269.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 82-52 is repealed.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1980) 29 R.P.D.C. 1, October 14
(1983) 19 R.P.D.C. 5, September 27
City Initiative 80-0

Bill No. D-102

The Corporation of the City of Hamilton

BY-LAW NO. 84-

To Amend:

Zoning By-law No. 6593

Respecting:

"F-4" (WATERFRONT SERVICES) DISTRICT

WHEREAS it is intended to amend the "F-4" (Waterfront Services) district provisions of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), as enacted by section 2 of By-law No. 83-239, passed on the 27th day of July, 1983;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 12D(1) of By-law No. 6593, as enacted by section 2 of By-law No. 83-239, is amended by adding thereto the following clause:

(g) EXISTING USES:

1. Any use existing as of the date of the passing of this by-law, except RESIDENTIAL uses.

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this day of A.D. 1984.

City Clerk Mayor

(1984) 4 R.P.D.C. 3(a)(1), March 13
City Initiative 84-A

BY-LAW NO. 84 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE Thirty-FirstDAY OF July A.D., 1984.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.

2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.

3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk, are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 1984

City Clerk Mayor

ACCOPRESS®

25071	—	BLACK / NOIR	— BG2507
25072	—	BLUE / BLEU	— BU2507
25078	—	RED / ROUGE	— BF2507
25075	—	GREEN / VERT	— BP2507
25074	—	GREY / GRIS	— BD2507
25073	—	R. BLUE / BLEU R.	— BB2507
25079	—	X. RED / ROUGE X.	— BX2507
25070	—	YELLOW / JAUNE	— BY2507
25077	—	TANGERINE	— BA2507

ACCO CANADIAN COMPANY LIMITED
COMPAGNIE CANADIENNE ACCO LIMITÉE
TORONTO CANADA